

**[TITLE I OF H.R. 10 SHOWING THE AMEND-  
MENTS ADOPTED BY THE COMMITTEE  
ON ARMED SERVICES]**

SEPTEMBER 29, 2004

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PART PRINTED IN ITALIC]

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “9/11 Recommendations  
3 Implementation Act”.

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1           **TITLE I—REFORM OF THE**  
2           **INTELLIGENCE COMMUNITY**

3   **SEC. 1001. SHORT TITLE.**

4           This title may be cited as the “National Security In-  
5   telligence Improvement Act of 2004”.

6           **Subtitle A—Establishment of**  
7           **National Intelligence Director**

8   **SEC. 1011. REORGANIZATION AND IMPROVEMENT OF MAN-**  
9           **AGEMENT OF INTELLIGENCE COMMUNITY.**

10          (a) IN GENERAL.—Title I of the National Security  
11   Act of 1947 (50 U.S.C. 402 et seq.) is amended by strik-  
12   ing sections 102 through 104 and inserting the following  
13   new sections:

14                 “NATIONAL INTELLIGENCE DIRECTOR

15          “SEC. 102. (a) NATIONAL INTELLIGENCE DIREC-  
16   TOR.—(1) There is a National Intelligence Director who  
17   shall be appointed by the President, by and with the advice  
18   and consent of the Senate.

19          “(2) The National Intelligence Director shall not be  
20   located within the Executive Office of the President.

21          “(b) PRINCIPAL RESPONSIBILITY.—Subject to the  
22   authority, direction, and control of the President, the Na-  
23   tional Intelligence Director shall—

24                 “(1) serve as head of the intelligence commu-  
25   nity;

1           “(2) act as the principal adviser to the Presi-  
2       dent, to the National Security Council, and the  
3       Homeland Security Council for intelligence matters  
4       related to the national security; and

5           “(3) through the heads of the departments con-  
6       taining elements of the intelligence community, and  
7       the Central Intelligence Agency, manage and oversee  
8       the execution of the National Intelligence Program  
9       and direct the National Intelligence Program.

10       “(c) PROHIBITION ON DUAL SERVICE.—The indi-  
11      vidual serving in the position of National Intelligence Di-  
12      rector shall not, while so serving, also serve as the Director  
13      of the Central Intelligence Agency or as the head of any  
14      other element of the intelligence community.

15       “RESPONSIBILITIES AND AUTHORITIES OF THE  
16               NATIONAL INTELLIGENCE DIRECTOR

17       “SEC. 102A. (a) PROVISION OF INTELLIGENCE.—(1)  
18      Under the direction of the President, the National Intel-  
19      ligence Director shall be responsible for ensuring that na-  
20      tional intelligence is provided—

21           “(A) to the President;

22           “(B) to the heads of departments and agencies  
23      of the executive branch;

24           “(C) to the Chairman of the Joint Chiefs of  
25      Staff and senior military commanders;

1           “(D) where appropriate, to the Senate and  
2       House of Representatives and the committees there-  
3       of; and

4           “(E) to such other persons as the National In-  
5       telligence Director determines to be appropriate.

6       “(2) Such national intelligence should be timely, ob-  
7       jective, independent of political considerations, and based  
8       upon all sources available to the intelligence community  
9       and other appropriate entities.

10       “(b) ACCESS TO INTELLIGENCE.—To the extent ap-  
11      proved by the President, the National Intelligence Director  
12      shall have access to all national intelligence and intel-  
13      ligence related to the national security which is collected  
14      by any Federal department, agency, or other entity, except  
15      as otherwise provided by law or, as appropriate, under  
16      guidelines agreed upon by the Attorney General and the  
17      National Intelligence Director.

18       “(c) BUDGET AUTHORITIES.—(1)(A) The National  
19      Intelligence Director shall develop and present to the  
20      President on an annual basis a budget for intelligence and  
21      intelligence-related activities of the United States.

22       “(B) In carrying out subparagraph (A) for any fiscal  
23      year for the components of the budget that comprise the  
24      National Intelligence Program, the National Intelligence  
25      Director shall provide guidance to the heads of depart-

1 ments containing elements of the intelligence community,  
2 and to the heads of the elements of the intelligence com-  
3 munity, for development of budget inputs to the National  
4 Intelligence Director.

5 “(2)(A) The National Intelligence Director shall par-  
6 ticipate in the development by the Secretary of Defense  
7 of the annual budgets for the Joint Military Intelligence  
8 Program and for Tactical Intelligence and Related Activi-  
9 ties.

10 “(B) The National Intelligence Director shall provide  
11 guidance for the development of the annual budget for  
12 each element of the intelligence community that is not  
13 within the National Intelligence Program.

14 “(3) In carrying out paragraphs (1) and (2), the Na-  
15 tional Intelligence Director may, as appropriate, obtain  
16 the advice of the Joint Intelligence Community Council.

17 “(4) The National Intelligence Director shall ensure  
18 the effective execution of the annual budget for intel-  
19 ligence and intelligence-related activities.

20 “(5)(A) The National Intelligence Director shall fa-  
21 cilitate the management and execution of funds appro-  
22 priated for the National Intelligence Program.

23 “(B) Notwithstanding any other provision of law, in  
24 receiving funds pursuant to relevant appropriations Acts  
25 for the National Intelligence Program, the Office of Man-

1 agement and Budget shall apportion funds appropriated  
2 for the National Intelligence Program to the National In-  
3 telligence Director for allocation to the elements of the in-  
4 telligence community through the host executive depart-  
5 ments that manage programs and activities that are part  
6 of the National Intelligence Program.

7       “(C) The National Intelligence Director shall monitor  
8 the implementation and execution of the National Intel-  
9 ligence Program by the heads of the elements of the intel-  
10 ligence community that manage programs and activities  
11 that are part of the National Intelligence Program, which  
12 may include audits and evaluations, as necessary and fea-  
13 sible.

14       “(6) Apportionment and allotment of funds under  
15 this subsection shall be subject to chapter 13 and section  
16 1517 of title 31, United States Code, and the Congres-  
17 sional Budget and Impoundment Control Act of 1974 (2  
18 U.S.C. 621 et seq.).

19       “(7)(A) The National Intelligence Director shall pro-  
20 vide a quarterly report, beginning April 1, 2005, and end-  
21 ing April 1, 2007, to the President and the Congress re-  
22 garding implementation of this section.

23       “(B) The National Intelligence Director shall report  
24 to the President and the Congress not later than 5 days  
25 after learning of any instance in which a departmental

1 comptroller acts in a manner inconsistent with the law (in-  
2 cluding permanent statutes, authorization Acts, and ap-  
3 propriations Acts), or the direction of the National Intel-  
4 ligence Director, in carrying out the National Intelligence  
5 Program.

6 “(d) ROLE OF NATIONAL INTELLIGENCE DIRECTOR  
7 IN REPROGRAMMING.—(1) No funds made available under  
8 the National Intelligence Program may be transferred or  
9 reprogrammed without the prior approval of the National  
10 Intelligence Director, except in accordance with proce-  
11 dures prescribed by the National Intelligence Director.

12 “(2) The Secretary of Defense shall consult with the  
13 National Intelligence Director before transferring or re-  
14 programming funds made available under the Joint Mili-  
15 tary Intelligence Program.

16 “(e) TRANSFER OF FUNDS OR PERSONNEL WITHIN  
17 NATIONAL INTELLIGENCE PROGRAM.—(1) In addition to  
18 any other authorities available under law for such pur-  
19 poses, the National Intelligence Director, with the ap-  
20 proval of the Director of the Office of Management and  
21 Budget—

22 “(A) may transfer funds appropriated for a  
23 program within the National Intelligence Program to  
24 another such program; and

1           “(B) in accordance with procedures to be devel-  
2           oped by the National Intelligence Director and the  
3           heads of the departments and agencies concerned,  
4           may transfer personnel authorized for an element of  
5           the intelligence community to another such element  
6           for periods up to one year.

7           “(2) The amounts available for transfer in the Na-  
8           tional Intelligence Program in any given fiscal year, and  
9           the terms and conditions governing such transfers, are  
10          subject to the provisions of annual appropriations Acts  
11          and this subsection.

12          “(3)(A) A transfer of funds or personnel may be  
13          made under this subsection only if—

14               “(i) the funds or personnel are being trans-  
15               ferred to an activity that is a higher priority intel-  
16               ligence activity;

17               “(ii) the need for funds or personnel for such  
18               activity is based on unforeseen requirements;

19               “(iii) the transfer does not involve a transfer of  
20               funds to the Reserve for Contingencies of the Cen-  
21               tral Intelligence Agency;

22               “(iv) in the case of a transfer of funds, the  
23               transfer results in a cumulative transfer of funds out  
24               of any department or agency, as appropriate, funded



1 in the National Intelligence Program in a single fis-  
2 cal year—

3 “(I) that is less than \$100,000,000, and

4 “(II) that is less than 5 percent of  
5 amounts available to a department or agency  
6 under the National Intelligence Program; and

7 “(v) the transfer does not terminate a program.

8 “(B) A transfer may be made without regard to a  
9 limitation set forth in clause (iv) or (v) of subparagraph  
10 (A) if the transfer has the concurrence of the head of the  
11 department or agency involved. The authority to provide  
12 such concurrence may only be delegated by the head of  
13 the department or agency involved to the deputy of such  
14 officer.

15 “(4) Funds transferred under this subsection shall  
16 remain available for the same period as the appropriations  
17 account to which transferred.

18 “(5) Any transfer of funds under this subsection shall  
19 be carried out in accordance with existing procedures ap-  
20 plicable to reprogramming notifications for the appro-  
21 priate congressional committees. Any proposed transfer  
22 for which notice is given to the appropriate congressional  
23 committees shall be accompanied by a report explaining  
24 the nature of the proposed transfer and how it satisfies  
25 the requirements of this subsection. In addition, the con-

1 gressional intelligence committees shall be promptly noti-  
2 fied of any transfer of funds made pursuant to this sub-  
3 section in any case in which the transfer would not have  
4 otherwise required reprogramming notification under pro-  
5 cedures in effect as of the date of the enactment of this  
6 subsection.

7 “(6)(A) The National Intelligence Director shall  
8 promptly submit to—

9 “(i) the congressional intelligence committees,

10 “(ii) in the case of the transfer of personnel to  
11 or from the Department of Defense, the Committee  
12 on Armed Services of the Senate and the Committee  
13 on Armed Services of the House of Representatives,  
14 and

15 “(iii) in the case of the transfer of personnel to  
16 or from the Department of Justice, to the Commit-  
17 tees on the Judiciary of the Senate and the House  
18 of Representatives,

19 a report on any transfer of personnel made pursuant to  
20 this subsection.

21 “(B) The Director shall include in any such report  
22 an explanation of the nature of the transfer and how it  
23 satisfies the requirements of this subsection.

24 “(f) TASKING AND OTHER AUTHORITIES.—(1)(A)  
25 The National Intelligence Director shall—

1           “(i) develop collection objectives, priorities, and  
2           guidance for the intelligence community to ensure  
3           timely and effective collection, processing, analysis,  
4           and dissemination (including access by users to col-  
5           lected data consistent with applicable law and, as  
6           appropriate, the guidelines referred to in subsection  
7           (b) and analytic products generated by or within the  
8           intelligence community) of national intelligence;

9           “(ii) determine and establish requirements and  
10          priorities for, and manage and direct the tasking of,  
11          collection, analysis, production, and dissemination of  
12          national intelligence by elements of the intelligence  
13          community, including—

14               “(I) approving requirements for collection  
15               and analysis, and

16               “(II) resolving conflicts in collection re-  
17               quirements and in the tasking of national col-  
18               lection assets of the elements of the intelligence  
19               community; and

20           “(iii) provide advisory tasking to intelligence  
21           elements of those agencies and departments not  
22           within the National Intelligence Program.

23          “(B) The authority of the National Intelligence Di-  
24          rector under subparagraph (A) shall not apply—

25               “(i) insofar as the President so directs;

1           “(ii) with respect to clause (ii) of subparagraph  
2           (A), insofar as the Secretary of Defense exercises  
3           tasking authority under plans or arrangements  
4           agreed upon by the Secretary of Defense and the  
5           National Intelligence Director; or

6           “(iii) to the direct dissemination of information  
7           to State government and local government officials  
8           and private sector entities pursuant to sections 201  
9           and 892 of the Homeland Security Act of 2002 (6  
10          U.S.C. 121, 482).

11          “(2) The National Intelligence Director shall oversee  
12          the National Counterterrorism Center and may establish  
13          such other national intelligence centers as the Director de-  
14          termines necessary.

15          “(3)(A) The National Intelligence Director shall pre-  
16          scribe community-wide personnel policies that—

17                 “(i) facilitate assignments across community  
18                 elements and to the intelligence centers;

19                 “(ii) establish overarching standards for intel-  
20                 ligence education and training; and

21                 “(iii) promote the most effective analysis and  
22                 collection of intelligence by ensuring a diverse work-  
23                 force, including the recruitment and training of  
24                 women, minorities, and individuals with diverse, eth-  
25                 nic, and linguistic backgrounds.

1       “(B) In developing the policies prescribed under sub-  
2 paragraph (A), the National Intelligence Director shall  
3 consult with the heads of the departments containing the  
4 elements of the intelligence community.

5       “(C) Policies prescribed under subparagraph (A)  
6 shall not be inconsistent with the personnel policies other-  
7 wise applicable to members of the uniformed services.

8       “(4) The National Intelligence Director shall ensure  
9 compliance with the Constitution and laws of the United  
10 States by the Central Intelligence Agency and shall ensure  
11 such compliance by other elements of the intelligence com-  
12 munity through the host executive departments that man-  
13 age the programs and activities that are part of the Na-  
14 tional Intelligence Program.

15       “(5) The National Intelligence Director shall ensure  
16 the elimination of waste and unnecessary duplication with-  
17 in the intelligence community.

18       “(6) The National Intelligence Director shall perform  
19 such other functions as the President may direct.

20 Nothing in this Act shall be construed as affecting the  
21 role of the Department of Justice or the Attorney General  
22 with respect to applications under the Foreign Intelligence  
23 Surveillance Act of 1978.

24       “(g) INTELLIGENCE INFORMATION SHARING.—(1)  
25 The National Intelligence Director shall have principal au-

1 thority to ensure maximum availability of and access to  
2 intelligence information within the intelligence community  
3 consistent with national security requirements. The Na-  
4 tional Intelligence Director shall—

5           “(A) establish uniform security standards and  
6       procedures;

7           “(B) establish common information technology  
8       standards, protocols, and interfaces;

9           “(C) ensure development of information tech-  
10      nology systems that include multi-level security and  
11      intelligence integration capabilities; and

12          “(D) establish policies and procedures to resolve  
13      conflicts between the need to share intelligence infor-  
14      mation and the need to protect intelligence sources  
15      and methods.

16          “(2) The President shall ensure that the National In-  
17      telligence Director has all necessary support and authori-  
18      ties to fully and effectively implement paragraph (1).

19          “(3) Except as otherwise directed by the President  
20      or with the specific written agreement of the head of the  
21      department or agency in question, a Federal agency or  
22      official shall not be considered to have met any obligation  
23      to provide any information, report, assessment, or other  
24      material (including unevaluated intelligence information)  
25      to that department or agency solely by virtue of having

1 provided that information, report, assessment, or other  
2 material to the National Intelligence Director or the Na-  
3 tional Counterterrorism Center.

4 “(4) Not later than February 1 of each year, the Na-  
5 tional Intelligence Director shall submit to the President  
6 and to the Congress an annual report that identifies any  
7 statute, regulation, policy, or practice that the Director  
8 believes impedes the ability of the Director to fully and  
9 effectively implement paragraph (1).

10 “(h) ANALYSIS.—(1) The National Intelligence Di-  
11 rector shall ensure that all elements of the intelligence  
12 community strive for the most accurate analysis of intel-  
13 ligence derived from all sources to support national secu-  
14 rity needs.

15 “(2) The National Intelligence Director shall ensure  
16 that intelligence analysis generally receives the highest pri-  
17 ority when distributing resources within the intelligence  
18 community and shall carry out duties under this sub-  
19 section in a manner that—

20 “(A) develops all-source analysis techniques;

21 “(B) ensures competitive analysis;

22 “(C) ensures that differences in judgment are  
23 fully considered and brought to the attention of pol-  
24 icymakers; and

1           “(D) builds relationships between intelligence  
2       collectors and analysts to facilitate greater under-  
3       standing of the needs of analysts.

4       “(i) PROTECTION OF INTELLIGENCE SOURCES AND  
5       METHODS.—(1) In order to protect intelligence sources  
6       and methods from unauthorized disclosure and, consistent  
7       with that protection, to maximize the dissemination of in-  
8       telligence, the National Intelligence Director shall estab-  
9       lish and implement guidelines for the intelligence commu-  
10      nity for the following purposes:

11           “(A) Classification of information.

12           “(B) Access to and dissemination of intel-  
13      ligence, both in final form and in the form when ini-  
14      tially gathered.

15           “(C) Preparation of intelligence products in  
16      such a way that source information is removed to  
17      allow for dissemination at the lowest level of classi-  
18      fication possible or in unclassified form to the extent  
19      practicable.

20       “(2) The Director may only delegate a duty or au-  
21      thority given the Director under this subsection to the  
22      Deputy National Intelligence Director.

23       “(j) UNIFORM PROCEDURES FOR SENSITIVE COM-  
24      PARTMENTED INFORMATION.—The President, acting  
25      through the National Intelligence Director, shall—



1           “(1) establish uniform standards and proce-  
2           dures for the grant of access to sensitive compart-  
3           mented information to any officer or employee of  
4           any agency or department of the United States and  
5           to employees of contractors of those agencies or de-  
6           partments;

7           “(2) ensure the consistent implementation of  
8           those standards and procedures throughout such  
9           agencies and departments;

10          “(3) ensure that security clearances granted by  
11          individual elements of the intelligence community  
12          are recognized by all elements of the intelligence  
13          community, and under contracts entered into by  
14          those agencies; and

15          “(4) ensure that the process for investigation  
16          and adjudication of an application for access to sen-  
17          sitive compartmented information is performed in  
18          the most expeditious manner possible consistent with  
19          applicable standards for national security.

20          “(k) COORDINATION WITH FOREIGN GOVERN-  
21          MENTS.—Under the direction of the President and in a  
22          manner consistent with section 207 of the Foreign Service  
23          Act of 1980 (22 U.S.C. 3927), the National Intelligence  
24          Director shall oversee the coordination of the relationships  
25          between elements of the intelligence community and the

1 intelligence or security services of foreign governments on  
2 all matters involving intelligence related to the national  
3 security or involving intelligence acquired through clandes-  
4 tine means.

5 “(1) ENHANCED PERSONNEL MANAGEMENT.—(1)(A)  
6 The National Intelligence Director shall, under regulations  
7 prescribed by the Director, provide incentives for per-  
8 sonnel of elements of the intelligence community to  
9 serve—

10 “(i) on the staff of the National Intelligence Di-  
11 rector;

12 “(ii) on the staff of the national intelligence  
13 centers;

14 “(iii) on the staff of the National  
15 Counterterrorism Center; and

16 “(iv) in other positions in support of the intel-  
17 ligence community management functions of the Di-  
18 rector.

19 “(B) Incentives under subparagraph (A) may include  
20 financial incentives, bonuses, and such other awards and  
21 incentives as the Director considers appropriate.

22 “(2)(A) Notwithstanding any other provision of law,  
23 the personnel of an element of the intelligence community  
24 who are assigned or detailed under paragraph (1)(A) to  
25 service under the National Intelligence Director shall be

1 promoted at rates equivalent to or better than personnel  
2 of such element who are not so assigned or detailed.

3 “(B) The Director may prescribe regulations to carry  
4 out this section.

5 “(3)(A) The National Intelligence Director shall pre-  
6 scribe mechanisms to facilitate the rotation of personnel  
7 of the intelligence community through various elements of  
8 the intelligence community in the course of their careers  
9 in order to facilitate the widest possible understanding by  
10 such personnel of the variety of intelligence requirements,  
11 methods, users, and capabilities.

12 “(B) The mechanisms prescribed under subpara-  
13 graph (A) may include the following:

14 “(i) The establishment of special occupational  
15 categories involving service, over the course of a ca-  
16 reer, in more than one element of the intelligence  
17 community.

18 “(ii) The provision of rewards for service in po-  
19 sitions undertaking analysis and planning of oper-  
20 ations involving two or more elements of the intel-  
21 ligence community.

22 “(iii) The establishment of requirements for  
23 education, training, service, and evaluation that in-  
24 volve service in more than one element of the intel-  
25 ligence community.

1       “(C) It is the sense of Congress that the mechanisms  
2 prescribed under this subsection should, to the extent  
3 practical, seek to duplicate for civilian personnel within  
4 the intelligence community the joint officer management  
5 policies established by chapter 38 of title 10, United  
6 States Code, and the other amendments made by title IV  
7 of the Goldwater–Nichols Department of Defense Reorga-  
8 nization Act of 1986 (Public Law 99–433).

9       “(4)(A) This subsection shall not apply with respect  
10 to personnel of the elements of the intelligence community  
11 who are members of the uniformed services or law enforce-  
12 ment officers (as that term is defined in section 5541(3)  
13 of title 5, United States Code).

14       “(B) Assignment to the Office of the National Intel-  
15 ligence Director of commissioned officers of the Armed  
16 Forces shall be considered a joint-duty assignment for  
17 purposes of the joint officer management policies pre-  
18 scribed by chapter 38 of title 10, United States Code, and  
19 other provisions of that title.

20       “(m) ADDITIONAL AUTHORITY WITH RESPECT TO  
21 PERSONNEL.—(1) In addition to the authorities under  
22 subsection (f)(3), the National Intelligence Director may  
23 exercise with respect to the personnel of the Office of the  
24 National Intelligence Director any authority of the Direc-  
25 tor of the Central Intelligence Agency with respect to the

1 personnel of the Central Intelligence Agency under the  
2 Central Intelligence Agency Act of 1949 (50 U.S.C. 403a  
3 et seq.), and other applicable provisions of law, as of the  
4 date of the enactment of this subsection to the same ex-  
5 tent, and subject to the same conditions and limitations,  
6 that the Director of the Central Intelligence Agency may  
7 exercise such authority with respect to personnel of the  
8 Central Intelligence Agency.

9       “(2) Employees and applicants for employment of the  
10 Office of the National Intelligence Director shall have the  
11 same rights and protections under the Office of the Na-  
12 tional Intelligence Director as employees of the Central In-  
13 telligence Agency have under the Central Intelligence  
14 Agency Act of 1949, and other applicable provisions of  
15 law, as of the date of the enactment of this subsection.

16       “(n) ACQUISITION AUTHORITIES.—(1) In carrying  
17 out the responsibilities and authorities under this section,  
18 the National Intelligence Director may exercise the acqui-  
19 sition authorities referred to in the Central Intelligence  
20 Agency Act of 1949 (50 U.S.C. 403a et seq.).

21       “(2) For the purpose of the exercise of any authority  
22 referred to in paragraph (1), a reference to the head of  
23 an agency shall be deemed to be a reference to the Na-  
24 tional Intelligence Director or the Deputy National Intel-  
25 ligence Director.

1       “(3)(A) Any determination or decision to be made  
2 under an authority referred to in paragraph (1) by the  
3 head of an agency may be made with respect to individual  
4 purchases and contracts or with respect to classes of pur-  
5 chases or contracts, and shall be final.

6       “(B) Except as provided in subparagraph (C), the  
7 National Intelligence Director or the Deputy National In-  
8 telligence Director may, in such official’s discretion, dele-  
9 gate to any officer or other official of the Office of the  
10 National Intelligence Director any authority to make a de-  
11 termination or decision as the head of the agency under  
12 an authority referred to in paragraph (1).

13       “(C) The limitations and conditions set forth in sec-  
14 tion 3(d) of the Central Intelligence Agency Act of 1949  
15 (50 U.S.C. 403c(d)) shall apply to the exercise by the Na-  
16 tional Intelligence Director of an authority referred to in  
17 paragraph (1).

18       “(D) Each determination or decision required by an  
19 authority referred to in the second sentence of section 3(d)  
20 of the Central Intelligence Agency Act of 1949 shall be  
21 based upon written findings made by the official making  
22 such determination or decision, which findings shall be  
23 final and shall be available within the Office of the Na-  
24 tional Intelligence Director for a period of at least six  
25 years following the date of such determination or decision.

1       “(o) CONSIDERATION OF VIEWS OF ELEMENTS OF  
2 THE INTELLIGENCE COMMUNITY.—In carrying out the  
3 duties and responsibilities under this section, the National  
4 Intelligence Director shall take into account the views of  
5 a head of a department containing an element of the intel-  
6 ligence community and of the Director of the Central In-  
7 telligence Agency.

8       “OFFICE OF THE NATIONAL INTELLIGENCE DIRECTOR

9       “SEC. 103. (a) ESTABLISHMENT OF OFFICE; FUNC-  
10 TION.—(1) There is an Office of the National Intelligence  
11 Director. The Office of the National Intelligence Director  
12 shall not be located within the Executive Office of the  
13 President.

14       “(2) The function of the Office is to assist the Na-  
15 tional Intelligence Director in carrying out the duties and  
16 responsibilities of the Director under this Act and to carry  
17 out such other duties as may be prescribed by the Presi-  
18 dent or by law.

19       “(3) Any authority, power, or function vested by law  
20 in any officer, employee, or part of the Office of the Na-  
21 tional Intelligence Director is vested in, or may be exer-  
22 cised by, the National Intelligence Director.

23       “(4) Exemptions, exceptions, and exclusions for the  
24 Central Intelligence Agency or for personnel, resources, or  
25 activities of such Agency from otherwise applicable laws,  
26 other than the exception contained in section 104A(c)(1)

1 shall apply in the same manner to the Office of the Na-  
2 tional Intelligence Director and the personnel, resources,  
3 or activities of such Office.

4 “(b) OFFICE OF NATIONAL INTELLIGENCE DIREC-  
5 TOR.—(1) The Office of the National Intelligence Director  
6 is composed of the following:

7 “(A) The National Intelligence Director.

8 “(B) The Deputy National Intelligence Direc-  
9 tor.

10 “(C) The Deputy National Intelligence Director  
11 for Operations.

12 “(D) The Deputy National Intelligence Director  
13 for Community Management and Resources.

14 “(E) The Associate National Intelligence Direc-  
15 tor for Military Support.

16 “(F) The Associate National Intelligence Direc-  
17 tor for Domestic Security.

18 “(G) The Associate National Intelligence Direc-  
19 tor for Diplomatic Affairs.

20 “(H) *The Associate National Intelligence Direc-*  
21 *tor for Science and Technology.*

22 “~~(H)~~ (I) The National Intelligence Council.

23 “~~(I)~~ (J) The General Counsel to the National  
24 Intelligence Director.



1           “(J) (K) Such other offices and officials as may  
2           be established by law or the National Intelligence  
3           Director may establish or designate in the Office.

4           “(2) To assist the National Intelligence Director in  
5           fulfilling the duties and responsibilities of the Director, the  
6           Director shall employ and utilize in the Office of the Na-  
7           tional Intelligence Director a staff having expertise in  
8           matters relating to such duties and responsibilities and  
9           may establish permanent positions and appropriate rates  
10          of pay with respect to such staff.

11          “(c) DEPUTY NATIONAL INTELLIGENCE DIREC-  
12          TOR.—(1) There is a Deputy National Intelligence Direc-  
13          tor who shall be appointed by the President, by and with  
14          the advice and consent of the Senate.

15          “(2) The Deputy National Intelligence Director shall  
16          assist the National Intelligence Director in carrying out  
17          the responsibilities of the National Intelligence Director  
18          under this Act.

19          “(3) The Deputy National Intelligence Director shall  
20          act for, and exercise the powers of, the National Intel-  
21          ligence Director during the absence or disability of the Na-  
22          tional Intelligence Director or during a vacancy in the po-  
23          sition of the National Intelligence Director.

1       “(4) The Deputy National Intelligence Director takes  
2 precedence in the Office of the National Intelligence Direc-  
3 tor immediately after the National Intelligence Director.

4       “(d) DEPUTY NATIONAL INTELLIGENCE DIRECTOR  
5 FOR OPERATIONS.—(1) There is a Deputy National Intel-  
6 ligence Director for Operations.

7       “(2) The Deputy National Intelligence Director for  
8 Operations shall—

9           “(A) assist the National Intelligence Director in  
10 all aspects of intelligence operations, including intel-  
11 ligence tasking, requirements, collection, and anal-  
12 ysis;

13           “(B) assist the National Intelligence Director in  
14 overseeing the national intelligence centers; and

15           “(C) perform such other duties and exercise  
16 such powers as National Intelligence Director may  
17 prescribe.

18       “(e) DEPUTY NATIONAL INTELLIGENCE DIRECTOR  
19 FOR COMMUNITY MANAGEMENT AND RESOURCES.—(1)  
20 There is a Deputy National Intelligence Director for Com-  
21 munity Management and Resources.

22       “(2) The Deputy National Intelligence Director for  
23 Community Management and Resources shall—

24           “(A) assist the National Intelligence Director in  
25 all aspects of management and resources, including

1 administration, budgeting, information security, per-  
2 sonnel, training, and programmatic functions; and

3 “(B) perform such other duties and exercise  
4 such powers as the National Intelligence Director  
5 may prescribe.

6 “(f) ASSOCIATE NATIONAL INTELLIGENCE DIREC-  
7 TOR FOR MILITARY SUPPORT.—(1) There is an Associate  
8 National Intelligence Director for Military Support who  
9 shall be appointed by the National Intelligence Director,  
10 in consultation with the Secretary of Defense.

11 “(2) The Associate National Intelligence Director for  
12 Military Support shall—

13 “(A) ensure that the intelligence needs of the  
14 Department of Defense are met; and

15 “(B) perform such other duties and exercise  
16 such powers as the National Intelligence Director  
17 may prescribe.

18 “(g) ASSOCIATE NATIONAL INTELLIGENCE DIREC-  
19 TOR FOR DOMESTIC SECURITY.—(1) There is an Asso-  
20 ciate National Intelligence Director for Domestic Security  
21 who shall be appointed by the National Intelligence Direc-  
22 tor in consultation with the Attorney General and the Sec-  
23 retary of Homeland Security.

24 “(2) The Associate National Intelligence Director for  
25 Domestic Security shall—

1           “(A) ensure that the intelligence needs of the  
2     Department of Justice, the Department of Home-  
3     land Security, and other relevant executive depart-  
4     ments and agencies are met; and

5           “(B) perform such other duties and exercise  
6     such powers as the National Intelligence Director  
7     may prescribe, except that the National Intelligence  
8     Director may not make such officer responsible for  
9     disseminating any domestic or homeland security in-  
10    formation to State government or local government  
11    officials or any private sector entity.

12       “(h) ASSOCIATE NATIONAL INTELLIGENCE DIREC-  
13    TOR FOR DIPLOMATIC AFFAIRS.—(1) There is an Asso-  
14    ciate National Intelligence Director for Diplomatic Affairs  
15    who shall be appointed by the National Intelligence Direc-  
16    tor in consultation with the Secretary of State.

17       “(2) The Associate National Intelligence Director for  
18    Diplomatic Affairs shall—

19           “(A) ensure that the intelligence needs of the  
20     Department of State are met; and

21           “(B) perform such other duties and exercise  
22     such powers as the National Intelligence Director  
23     may prescribe.

24       “(i) ASSOCIATE NATIONAL INTELLIGENCE DIRECTOR  
25    FOR SCIENCE AND TECHNOLOGY.—(1) There is an Asso-

1 *ciate National Intelligence Director for Science and Tech-*  
2 *nology who shall be appointed by the National Intelligence*  
3 *Director.*

4 “(2) *The Associate National Intelligence Director for*  
5 *Science and Technology shall—*

6 “(A) *advise the National Intelligence Director re-*  
7 *garding research and development efforts and prior-*  
8 *ities in support of the intelligence mission, to ensure*  
9 *that the science and technology needs of the National*  
10 *Intelligence Program will be met;*

11 “(B) *develop in consultation with appropriate*  
12 *agencies and the Associate National Intelligence Di-*  
13 *rectors for Military Support, Domestic Security, and*  
14 *Diplomatic Affairs a strategic plan to support United*  
15 *States leadership in science and technology to facili-*  
16 *tate intelligence missions; and*

17 “(C) *perform such other duties and exercise such*  
18 *powers as the National Intelligence Director may pre-*  
19 *scribe.*

20 “~~(i)~~ (j) *MILITARY STATUS OF DIRECTOR AND DEP-*  
21 *UTY DIRECTORS.—(1) Not more than one of the individ-*  
22 *uals serving in the positions specified in paragraph (2)*  
23 *may be a commissioned officer of the Armed Forces in*  
24 *active status.*

1       “(2) The positions referred to in this paragraph are  
2 the following:

3               “(A) The National Intelligence Director.

4               “(B) The Deputy National Intelligence Direc-  
5 tor.

6       “(3) It is the sense of Congress that, under ordinary  
7 circumstances, it is desirable that one of the individuals  
8 serving in the positions specified in paragraph (2)—

9               “(A) be a commissioned officer of the Armed  
10 Forces, in active status; or

11               “(B) have, by training or experience, an appre-  
12 ciation of military intelligence activities and require-  
13 ments.

14       “(4) A commissioned officer of the Armed Forces,  
15 while serving in a position specified in paragraph (2)—

16               “(A) shall not be subject to supervision or con-  
17 trol by the Secretary of Defense or by any officer or  
18 employee of the Department of Defense;

19               “(B) shall not exercise, by reason of the offi-  
20 cer’s status as a commissioned officer, any super-  
21 vision or control with respect to any of the military  
22 or civilian personnel of the Department of Defense  
23 except as otherwise authorized by law; and

24               “(C) shall not be counted against the numbers  
25 and percentages of commissioned officers of the rank

1       and grade of such officer authorized for the military  
2       department of that officer.

3       “(5) Except as provided in subparagraph (A) or (B)  
4 of paragraph (4), the appointment of an officer of the  
5 Armed Forces to a position specified in paragraph (2)  
6 shall not affect the status, position, rank, or grade of such  
7 officer in the Armed Forces, or any emolument, perquisite,  
8 right, privilege, or benefit incident to or arising out of such  
9 status, position, rank, or grade.

10       “(6) A commissioned officer of the Armed Forces on  
11 active duty who is appointed to a position specified in  
12 paragraph (2), while serving in such position and while  
13 remaining on active duty, shall continue to receive military  
14 pay and allowances and shall not receive the pay pre-  
15 scribed for such position. Funds from which such pay and  
16 allowances are paid shall be reimbursed from funds avail-  
17 able to the National Intelligence Director.

18       “~~(j)~~ (k) NATIONAL INTELLIGENCE COUNCIL.—(1)  
19 Within the Office of the Deputy National Intelligence Di-  
20 rector for Operations, there is a National Intelligence  
21 Council.

22       “(2)(A) The National Intelligence Council shall be  
23 composed of senior analysts within the intelligence com-  
24 munity and substantive experts from the public and pri-

1 vate sector, who shall be appointed by and report to the  
2 Deputy National Intelligence Director for Operations.

3 “(B) The Director shall prescribe appropriate secu-  
4 rity requirements for personnel appointed from the private  
5 sector as a condition of service on the Council, or as con-  
6 tractors of the Council or employees of such contractors,  
7 to ensure the protection of intelligence sources and meth-  
8 ods while avoiding, wherever possible, unduly intrusive re-  
9 quirements which the Director considers to be unnecessary  
10 for this purpose.

11 “(3) The National Intelligence Council shall—

12 “(A) produce national intelligence estimates for  
13 the United States Government, which shall include  
14 as a part of such estimates in their entirety, alter-  
15 native views, if any, held by elements of the intel-  
16 ligence community;

17 “(B) evaluate community-wide collection and  
18 production of intelligence by the intelligence commu-  
19 nity and the requirements and resources of such col-  
20 lection and production; and

21 “(C) otherwise assist the National Intelligence  
22 Director in carrying out the responsibility of the Na-  
23 tional Intelligence Director to provide national intel-  
24 ligence.



1       “(4) Within their respective areas of expertise and  
2 under the direction of the Deputy National Intelligence  
3 Director for Operations, the members of the National In-  
4 telligence Council shall constitute the senior intelligence  
5 advisers of the intelligence community for purposes of rep-  
6 resenting the views of the intelligence community within  
7 the United States Government.

8       “(5) Subject to the direction and control of the Dep-  
9 uty National Intelligence Director for Operations, the Na-  
10 tional Intelligence Council may carry out its responsibil-  
11 ities under this section by contract, including contracts for  
12 substantive experts necessary to assist the Council with  
13 particular assessments under this subsection.

14       “(6) The Deputy National Intelligence Director for  
15 Operations shall make available to the National Intel-  
16 ligence Council such personnel as may be necessary to per-  
17 mit the Council to carry out its responsibilities under this  
18 section.

19       “(7) The heads of the elements of the intelligence  
20 community shall, as appropriate, furnish such support to  
21 the National Intelligence Council, including the prepara-  
22 tion of intelligence analyses, as may be required by the  
23 National Intelligence Director.

1       “~~(k)~~ (l) GENERAL COUNSEL TO THE NATIONAL IN-  
2     TELLIGENCE DIRECTOR.—(1) There is a General Counsel  
3     to the National Intelligence Director.

4       “(2) The individual serving in the position of General  
5     Counsel to the National Intelligence Director may not,  
6     while so serving, also serve as the General Counsel of any  
7     other agency or department of the United States.

8       “(3) The General Counsel to the National Intel-  
9     ligence Director is the chief legal officer for the National  
10    Intelligence Director.

11      “(4) The General Counsel to the National Intel-  
12    ligence Director shall perform such functions as the Na-  
13    tional Intelligence Director may prescribe.

14      “~~(j)~~ (m) INTELLIGENCE COMMUNITY INFORMATION  
15    TECHNOLOGY OFFICER.—(1) There is an Intelligence  
16    Community Information Technology Officer who shall be  
17    appointed by the National Intelligence Director.

18      “(2) The mission of the Intelligence Community In-  
19    formation Technology Officer is to assist the National In-  
20    telligence Director in ensuring the sharing of information  
21    in the fullest and most prompt manner between and  
22    among elements of the intelligence community consistent  
23    with section 102A(g).

24      “(3) The Intelligence Community Information Tech-  
25    nology Officer shall—

1           “(A) assist the Deputy National Intelligence  
2           Director for Community Management and Resources  
3           in developing and implementing an integrated infor-  
4           mation technology network;

5           “(B) develop an enterprise architecture for the  
6           intelligence community and assist the Deputy Na-  
7           tional Intelligence Director for Community Manage-  
8           ment and Resources in ensuring that elements of the  
9           intelligence community comply with such architec-  
10          ture;

11          “(C) have procurement approval authority over  
12          all enterprise architecture-related information tech-  
13          nology items funded in the National Intelligence  
14          Program;

15          “(D) ensure that all such elements have the  
16          most direct and continuous electronic access to all  
17          information (including unevaluated intelligence con-  
18          sistent with existing laws and the guidelines referred  
19          to in section 102A(b)) necessary for appropriately  
20          cleared analysts to conduct comprehensive all-source  
21          analysis and for appropriately cleared policymakers  
22          to perform their duties—

23                 “(i) directly, in the case of the elements of  
24                 the intelligence community within the National  
25                 Intelligence Program, and

1                   “(ii) in conjunction with the Secretary of  
2                   Defense and other applicable heads of depart-  
3                   ments with intelligence elements outside the  
4                   National Intelligence Program;

5                   “(E) review and provide recommendations to  
6                   the Deputy National Intelligence Director for Com-  
7                   munity Management and Resources on National In-  
8                   telligence Program budget requests for information  
9                   technology and national security systems;

10                  “(F) assist the Deputy National Intelligence  
11                  Director for Community Management and Resources  
12                  in promulgating and enforcing standards on infor-  
13                  mation technology and national security systems  
14                  that apply throughout the elements of the intel-  
15                  ligence community;

16                  “(G) ensure that within and between the ele-  
17                  ments of the National Intelligence Program, duplica-  
18                  tive and unnecessary information technology and na-  
19                  tional security systems are eliminated; and

20                  “(H) pursuant to the direction of the National  
21                  Intelligence Director, consult with the Director of  
22                  the Office of Management and Budget to ensure  
23                  that the Office of the National Intelligence Director  
24                  coordinates and complies with national security re-

1        requirements consistent with applicable law, Executive  
2        orders, and guidance; and

3            “(I) perform such other duties with respect to  
4        the information systems and information technology  
5        of the Office of the National Intelligence Director as  
6        may be prescribed by the Deputy National Intel-  
7        ligence Director for Community Management and  
8        Resources or specified by law.

9            “(n) *COUNTERINTELLIGENCE OFFICER TO THE NA-*  
10        *TIONAL INTELLIGENCE DIRECTOR.—(1) There is a Counter-*  
11        *intelligence Officer to the National Intelligence Director*  
12        *who shall be appointed by the National Intelligence Direc-*  
13        *tor.*

14           “(2) *The mission of the Counterintelligence Officer to*  
15        *the National Intelligence Director is to assist the National*  
16        *Intelligence Director in reducing the threats of disclosure*  
17        *or loss of classified or sensitive information or penetration*  
18        *of national intelligence functions that may be potentiated*  
19        *by increased information sharing, enterprise architectures,*  
20        *or other activities under this Act.*

21           “(3) *The Counterintelligence Officer to the National*  
22        *Intelligence Director shall—*

23            “(A) *assist the Deputy National Intelligence Di-*  
24        *rector for Community Management and Resources in*  
25        *developing and implementing counterintelligence poli-*

1        *cies for the functions of the Office of the National In-*  
2        *telligence Director, in consultation with the Associate*  
3        *National Intelligence Directors;*

4            *“(B) ensure that policies under subparagraph*  
5        *(A) and the implementation of those policies are co-*  
6        *ordinated with counterintelligence activities of appro-*  
7        *priate agencies and elements of the National Intel-*  
8        *ligence Program, and with the activities of the Intel-*  
9        *ligence Community Information Officer;*

10           *“(C) review resource requirements to support the*  
11        *mission of the Counterintelligence Officer under this*  
12        *subsection and make recommendations to the Deputy*  
13        *National Intelligence Director for Community Man-*  
14        *agement and Resources with respect to those require-*  
15        *ments; and*

16           *“(D) perform such other duties as the National*  
17        *Intelligence Director shall prescribe.*

18           *“CENTRAL INTELLIGENCE AGENCY*

19        *“SEC. 104. (a) CENTRAL INTELLIGENCE AGENCY.—*  
20        *There is a Central Intelligence Agency.*

21        *“(b) FUNCTION.—The function of the Central Intel-*  
22        *ligence Agency is to assist the Director of the Central In-*  
23        *telligence Agency in carrying out the responsibilities speci-*  
24        *fied in section 104A(c).*

1 “DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

2 “SEC. 104A. (a) DIRECTOR OF CENTRAL INTEL-  
3 LIGENCE AGENCY.—There is a Director of the Central In-  
4 telligence Agency who shall be appointed by the President,  
5 by and with the advice and consent of the Senate. The  
6 Director shall be under the authority, direction, and con-  
7 trol of the National Intelligence Director, except as other-  
8 wise determined by the President.

9 “(b) DUTIES.—In the capacity as Director of the  
10 Central Intelligence Agency, the Director of the Central  
11 Intelligence Agency shall—

12 “(1) carry out the responsibilities specified in  
13 subsection (c); and

14 “(2) serve as the head of the Central Intel-  
15 ligence Agency.

16 “(c) RESPONSIBILITIES.—The Director of the Cen-  
17 tral Intelligence Agency shall—

18 “(1) collect intelligence through human sources  
19 and by other appropriate means, except that the Di-  
20 rector of the Central Intelligence Agency shall have  
21 no police, subpoena, or law enforcement powers or  
22 internal security functions;

23 “(2) provide overall direction for the collection  
24 of national intelligence through human sources by  
25 elements of the intelligence community authorized to

1       undertake such collection and, in coordination with  
2       other agencies of the Government which are author-  
3       ized to undertake such collection, ensure that the  
4       most effective use is made of resources and that the  
5       risks to the United States and those involved in such  
6       collection are minimized;

7           “(3) correlate and evaluate intelligence related  
8       to the national security and provide appropriate dis-  
9       semination of such intelligence;

10          “(4) perform such additional services as are of  
11       common concern to the elements of the intelligence  
12       community, which services the National Intelligence  
13       Director determines can be more efficiently accom-  
14       plished centrally; and

15          “(5) perform such other functions and duties  
16       related to intelligence affecting the national security  
17       as the President or the National Intelligence Direc-  
18       tor may direct.

19          “(d) DEPUTY DIRECTOR OF THE CENTRAL INTEL-  
20       LIGENCE AGENCY.—There is a Deputy Director of the  
21       Central Intelligence Agency who shall be appointed by the  
22       President. The Deputy Director shall perform such func-  
23       tions as the Director may prescribe and shall perform the  
24       duties of the Director during the Director’s absence or dis-



1 ability or during a vacancy in the position of the Director  
2 of the Central Intelligence Agency.

3 “(e) TERMINATION OF EMPLOYMENT OF CIA EM-  
4 PLOYEES.—(1) Notwithstanding the provisions of any  
5 other law, the Director of the Central Intelligence Agency  
6 may, in the discretion of the Director, terminate the em-  
7 ployment of any officer or employee of the Central Intel-  
8 ligence Agency whenever the Director considers the termi-  
9 nation of employment of such officer or employee nec-  
10 essary or advisable in the interests of the United States.

11 “(2) Any termination of employment of an officer or  
12 employee under paragraph (1) shall not affect the right  
13 of the officer or employee to seek or accept employment  
14 in any other department, agency, or element of the United  
15 States Government if declared eligible for such employ-  
16 ment by the Office of Personnel Management.”.

17 (b) FIRST DIRECTOR.—(1) When the Senate receives  
18 the nomination of a person for the initial appointment by  
19 the President for the position of National Intelligence Di-  
20 rector, it shall consider and dispose of such nomination  
21 within a period of 30 legislative days.

22 (2) If the Senate does not dispose of such nomination  
23 referred to in paragraph (1) within such period—

24 (A) Senate confirmation is not required; and

1 (B) the appointment of such nominee as Na-  
2 tional Intelligence Director takes effect upon admin-  
3 istration of the oath of office.

4 (3) For the purposes of this subsection, the term  
5 “legislative day” means a day on which the Senate is in  
6 session.

7 **SEC. 1012. REVISED DEFINITION OF NATIONAL INTEL-**  
8 **LIGENCE.**

9 Paragraph (5) of section 3 of the National Security  
10 Act of 1947 (50 U.S.C. 401a) is amended to read as fol-  
11 lows:

12 “(5) The terms ‘national intelligence’ and ‘intel-  
13 ligence related to national security’ refer to all intel-  
14 ligence, regardless of the source from which derived  
15 and including information gathered within or outside  
16 the United States, that—

17 “(A) pertains, as determined consistent  
18 with any guidance issued by the President, to  
19 more than one United States Government agen-  
20 cy; and

21 “(B) that involves—

22 “(i) threats to the United States, its  
23 people, property, or interests;

24 “(ii) the development, proliferation, or  
25 use of weapons of mass destruction; or

1 “(iii) any other matter bearing on  
2 United States national or homeland secu-  
3 rity.”.

4 **SEC. 1013. JOINT PROCEDURES FOR OPERATIONAL CO-**  
5 **ORDINATION BETWEEN DEPARTMENT OF DE-**  
6 **FENSE AND CENTRAL INTELLIGENCE AGEN-**  
7 **CY.**

8 (a) DEVELOPMENT OF PROCEDURES.—The National  
9 Intelligence Director, in consultation with the Secretary  
10 of Defense and the Director of the Central Intelligence  
11 Agency, shall develop joint procedures to be used by the  
12 Department of Defense and the Central Intelligence Agen-  
13 cy to improve the coordination and deconfliction of oper-  
14 ations that involve elements of both the Armed Forces and  
15 the Central Intelligence Agency consistent with national  
16 security and the protection of human intelligence sources  
17 and methods. Those procedures shall, at a minimum, pro-  
18 vide the following:

19 (1) Methods by which the Director of the Cen-  
20 tral Intelligence Agency and the Secretary of De-  
21 fense can improve communication and coordination  
22 in the planning, execution, and sustainment of oper-  
23 ations, including, as a minimum—

24 (A) information exchange between senior  
25 officials of the Central Intelligence Agency and

1           senior officers and officials of the Department  
2           of Defense when planning for such an operation  
3           commences by either organization; and

4                   (B) exchange of information between the  
5           Secretary and the Director of the Central Intel-  
6           ligence Agency to ensure that senior operational  
7           officials in both the Department of Defense and  
8           the Central Intelligence Agency have knowledge  
9           of the existence of the ongoing operations of the  
10          other.

11          (2) When appropriate, in cases where the De-  
12          partment of Defense and the Central Intelligence  
13          Agency are conducting separate missions in the  
14          same geographical area, mutual agreement on the  
15          tactical and strategic objectives for the region and a  
16          clear delineation of operational responsibilities to  
17          prevent conflict and duplication of effort.

18          (b) IMPLEMENTATION REPORT.—Not later than 180  
19          days after the date of the enactment of the Act, the Na-  
20          tional Intelligence Director shall submit to the congres-  
21          sional defense committees (as defined in section 101 of  
22          title 10, United States Code) and the congressional intel-  
23          ligence committees (as defined in section 3(7) of the Na-  
24          tional Security Act of 1947 (50 U.S.C. 401a(7))) a report  
25          describing the procedures established pursuant to sub-

1 section (a) and the status of the implementation of those  
2 procedures.

3 **SEC. 1014. ROLE OF NATIONAL INTELLIGENCE DIRECTOR**  
4 **IN APPOINTMENT OF CERTAIN OFFICIALS RE-**  
5 **SPONSIBLE FOR INTELLIGENCE-RELATED AC-**  
6 **TIVITIES.**

7 Section 106 of the National Security Act of 1947 (50  
8 U.S.C. 403–6) is amended by striking all after the heading  
9 and inserting the following:

10 “(a) RECOMMENDATION OF NID IN CERTAIN AP-  
11 POINTMENTS.—(1) In the event of a vacancy in a position  
12 referred to in paragraph (2), the National Intelligence Di-  
13 rector shall recommend to the President an individual for  
14 nomination to fill the vacancy.

15 “(2) Paragraph (1) applies to the following positions:

16 “(A) The Deputy National Intelligence Direc-  
17 tor.

18 “(B) The Director of the Central Intelligence  
19 Agency.

20 “(b) CONCURRENCE OF NID IN APPOINTMENTS TO  
21 POSITIONS IN THE INTELLIGENCE COMMUNITY.—(1) In  
22 the event of a vacancy in a position referred to in para-  
23 graph (2), the head of the department or agency having  
24 jurisdiction over the position shall obtain the concurrence  
25 of the National Intelligence Director before appointing an

1 individual to fill the vacancy or recommending to the  
2 President an individual to be nominated to fill the va-  
3 cancy. If the Director does not concur in the recommenda-  
4 tion, the head of the department or agency concerned may  
5 not fill the vacancy or make the recommendation to the  
6 President (as the case may be). *In the case in which the*  
7 *National Intelligence Director does not concur in such a*  
8 *recommendation, the Director and the head of the depart-*  
9 *ment or agency concerned may advise the President directly*  
10 *of the intention to withhold concurrence or to make a rec-*  
11 *ommendation, as the case may be.*

12 “(2) Paragraph (1) applies to the following positions:

13 “(A) The Director of the National Security  
14 Agency.

15 “(B) The Director of the National Reconnaissance  
16 Office.

17 “(C) The Director of the National Geospatial-  
18 Intelligence Agency.

19 “(c) CONSULTATION WITH NATIONAL INTEL-  
20 LIGENCE DIRECTOR IN CERTAIN POSITIONS.—(1) In the  
21 event of a vacancy in a position referred to in paragraph  
22 (2), the head of the department or agency having jurisdic-  
23 tion over the position shall consult with the National Intel-  
24 ligence Director before appointing an individual to fill the

1 vacancy or recommending to the President an individual  
2 to be nominated to fill the vacancy.

3 “(2) Paragraph (1) applies to the following positions:

4 “(A) The Director of the Defense Intelligence  
5 Agency.

6 “(B) The Assistant Secretary of State for Intel-  
7 ligence and Research.

8 “(C) The Director of the Office of Intelligence  
9 of the Department of Energy.

10 “(D) The Director of the Office of Counter-  
11 intelligence of the Department of Energy.

12 “(E) The Assistant Secretary for Intelligence  
13 and Analysis of the Department of the Treasury.

14 “(F) The Executive Assistant Director for In-  
15 telligence of the Federal Bureau of Investigation.

16 “(G) The Under Secretary of Homeland Secu-  
17 rity for Information Analysis and Infrastructure  
18 Protection.

19 “(H) The Deputy Assistant Commandant of the  
20 Coast Guard for Intelligence.

21 **SEC. 1015. INITIAL APPOINTMENT OF THE NATIONAL IN-**  
22 **TELLIGENCE DIRECTOR.**

23 (a) INITIAL APPOINTMENT OF THE NATIONAL IN-  
24 TELLIGENCE DIRECTOR.—Notwithstanding section  
25 102(a)(1) of the National Security Act of 1947, as added

1 by section 1011(a), the individual serving as the Director  
2 of Central Intelligence on the date immediately preceding  
3 the date of the enactment of this Act may, at the discre-  
4 tion of the President, become the National Intelligence Di-  
5 rector as of the date of the enactment of this Act.

6 (b) GENERAL REFERENCES.—(1) Any reference to  
7 the Director of Central Intelligence in the Director's ca-  
8 pacity as the head of the intelligence community in any  
9 law, regulation, document, paper, or other record of the  
10 United States shall be deemed to be a reference to the  
11 National Intelligence Director.

12 (2) Any reference to the Director of Central Intel-  
13 ligence in the Director's capacity as the head of the Cen-  
14 tral Intelligence Agency in any law, regulation, document,  
15 paper, or other record of the United States shall be  
16 deemed to be a reference to the Director of the Central  
17 Intelligence Agency.

18 (3) Any reference to the Deputy Director of Central  
19 Intelligence in the Deputy Director's capacity as deputy  
20 to the head of the intelligence community in any law, regu-  
21 lation, document, paper, or other record of the United  
22 States shall be deemed to be a reference to the Deputy  
23 National Intelligence Director.

24 (4) Any reference to the Deputy Director of Central  
25 Intelligence for Community Management in any law, regu-



1 lation, document, paper, or other record of the United  
2 States shall be deemed to be a reference to the Deputy  
3 National Intelligence Director for Community Manage-  
4 ment and Resources.

5 **SEC. 1016. EXECUTIVE SCHEDULE MATTERS.**

6 (a) EXECUTIVE SCHEDULE LEVEL I.—Section 5312  
7 of title 5, United States Code, is amended by adding the  
8 end the following new item:

9 “National Intelligence Director.”.

10 (b) EXECUTIVE SCHEDULE LEVEL II.—Section 5313  
11 of title 5, United States Code, is amended by adding at  
12 the end the following new items:

13 “Deputy National Intelligence Director.

14 “Director of the National Counterterrorism  
15 Center.”.

16 (c) EXECUTIVE SCHEDULE LEVEL IV.—Section  
17 5315 of title 5, United States Code, is amended by strik-  
18 ing the item relating to the Assistant Directors of Central  
19 Intelligence.



1           “(3) the conduct of intelligence operations im-  
2           plemented by other elements of the intelligence com-  
3           munity; and

4           “(4) the planning and progress of joint  
5           counterterrorism operations (other than intelligence  
6           operations).

7   The National Intelligence Director shall carry out this sec-  
8   tion through the Deputy National Intelligence Director for  
9   Operations.

10       “(d) PRIMARY MISSIONS.—The primary missions of  
11   the National Counterterrorism Center shall be as follows:

12           “(1) To serve as the primary organization in  
13           the United States Government for analyzing and in-  
14           tegrating all intelligence possessed or acquired by  
15           the United States Government pertaining to ter-  
16           rorism and counterterrorism, excepting intelligence  
17           pertaining exclusively to domestic counterterrorism.

18           “(2) To conduct strategic operational planning  
19           for counterterrorism activities, integrating all instru-  
20           ments of national power, including diplomatic, finan-  
21           cial, military, intelligence, homeland security, and  
22           law enforcement activities within and among agen-  
23           cies.

24           “(3) To support operational responsibilities as-  
25           signed to lead agencies for counterterrorism activi-

1       ties by ensuring that such agencies have access to  
2       and receive intelligence needed to accomplish their  
3       assigned activities.

4           “(4) To ensure that agencies, as appropriate,  
5       have access to and receive all-source intelligence sup-  
6       port needed to execute their counterterrorism plans  
7       or perform independent, alternative analysis.

8       “(e)   DOMESTIC   COUNTERTERRORISM   INTEL-  
9   LIGENCE.—(1) The Center may, consistent with applicable  
10   law, the direction of the President, and the guidelines re-  
11   ferred to in section 102A(b), receive intelligence pertaining  
12   exclusively to domestic counterterrorism from any Fed-  
13   eral, State, or local government or other source necessary  
14   to fulfill its responsibilities and retain and disseminate  
15   such intelligence.

16       “(2)   Any   agency   authorized   to   conduct  
17   counterterrorism activities may request information from  
18   the Center to assist it in its responsibilities, consistent  
19   with applicable law and the guidelines referred to in sec-  
20   tion 102A(b).

21       “(f)   DUTIES AND RESPONSIBILITIES OF DIREC-  
22   TOR.—The Director of the National Counterterrorism  
23   Center shall—

1           “(1) serve as the principal adviser to the Na-  
2           tional Intelligence Director on intelligence operations  
3           relating to counterterrorism;

4           “(2) provide strategic guidance and plans for  
5           the civilian and military counterterrorism efforts of  
6           the United States Government and for the effective  
7           integration of counterterrorism intelligence and op-  
8           erations across agency boundaries, both inside and  
9           outside the United States;

10          “(3) advise the National Intelligence Director  
11          on the extent to which the counterterrorism program  
12          recommendations and budget proposals of the de-  
13          partments, agencies, and elements of the United  
14          States Government conform to the priorities estab-  
15          lished by the President;

16          “(4) disseminate terrorism information, includ-  
17          ing current terrorism threat analysis, to the Presi-  
18          dent, the Vice President, the Secretaries of State,  
19          Defense, and Homeland Security, the Attorney Gen-  
20          eral, the Director of the Central Intelligence Agency,  
21          and other officials of the executive branch as appro-  
22          priate, and to the appropriate committees of Con-  
23          gress;

24          “(5) support the Department of Justice and the  
25          Department of Homeland Security, and other appro-

1       prate agencies, in fulfillment of their responsibilities  
2       to disseminate terrorism information, consistent with  
3       applicable law, Executive Orders and other Presi-  
4       dential guidance, to State and local government offi-  
5       cials, and other entities, and coordinate dissemina-  
6       tion of terrorism information to foreign governments  
7       as approved by the National Intelligence Director;

8               “(6) consistent with priorities approved by the  
9       President, assist the National Intelligence Director  
10      in establishing requirements for the intelligence com-  
11      munity for the collection of terrorism information;  
12      and

13              “(7) perform such other duties as the National  
14      Intelligence Director may prescribe or are prescribed  
15      by law.

16      “(g) LIMITATION.—The Director of the National  
17      Counterterrorism Center may not direct the execution of  
18      counterterrorism operations.

19      “(h) RESOLUTION OF DISPUTES.—The National In-  
20      telligence Director shall resolve disagreements between the  
21      National Counterterrorism Center and the head of a de-  
22      partment, agency, or element of the United States Govern-  
23      ment on designations, assignments, plans, or responsibil-  
24      ities. The head of such a department, agency, or element

1 may appeal the resolution of the disagreement by the Na-  
2 tional Intelligence Director to the President.

3 “(i) DIRECTORATE OF INTELLIGENCE.—The Direc-  
4 tor of the National Counterterrorism Center shall estab-  
5 lish and maintain within the National Counterterrorism  
6 Center a Directorate of Intelligence which shall have pri-  
7 mary responsibility within the United States Government  
8 for analysis of terrorism and terrorist organizations (ex-  
9 cept for purely domestic terrorism and domestic terrorist  
10 organizations) from all sources of intelligence, whether col-  
11 lected inside or outside the United States.

12 “(j) DIRECTORATE OF STRATEGIC PLANNING.—The  
13 Director of the National Counterterrorism Center shall es-  
14 tablish and maintain within the National  
15 Counterterrorism Center a Directorate of Strategic Plan-  
16 ning which shall provide strategic guidance and plans for  
17 counterterrorism operations conducted by the United  
18 States Government.”.

19 (b) CLERICAL AMENDMENT.—The table of sections  
20 for the National Security Act of 1947 is amended by in-  
21 serting after the item relating to section 118 the following  
22 new item:

“Sec. 119. National Counterterrorism Center.”.

23 **SEC. 1022. CIVIL LIBERTIES PROTECTION OFFICER.**

24 (a) CIVIL LIBERTIES PROTECTION OFFICER.—(1)  
25 Within the Office of the National Intelligence Director,

1 there is a Civil Liberties Protection Officer who shall be  
2 appointed by the National Intelligence Director.

3 (2) The Civil Liberties Protection Officer shall report  
4 directly to the National Intelligence Director.

5 (b) DUTIES.—The Civil Liberties Protection Officer  
6 shall—

7 (1) ensure that the protection of civil liberties  
8 and privacy is appropriately incorporated in the poli-  
9 cies and procedures developed for and implemented  
10 by the Office of the National Intelligence Director  
11 and the elements of the intelligence community with-  
12 in the National Intelligence Program;

13 (2) oversee compliance by the Office and the  
14 National Intelligence Director with requirements  
15 under the Constitution and all laws, regulations, Ex-  
16 ecutive orders, and implementing guidelines relating  
17 to civil liberties and privacy;

18 (3) review and assess complaints and other in-  
19 formation indicating possible abuses of civil liberties  
20 and privacy in the administration of the programs  
21 and operations of the Office and the National Intel-  
22 ligence Director and, as appropriate, investigate any  
23 such complaint or information;

24 (4) ensure that the use of technologies sustain,  
25 and do not erode, privacy protections relating to the



1 use, collection, and disclosure of personal informa-  
2 tion;

3 (5) ensure that personal information contained  
4 in a system of records subject to section 552a of  
5 title 5, United States Code (popularly referred to as  
6 the ‘Privacy Act’), is handled in full compliance with  
7 fair information practices as set out in that section;

8 (6) conduct privacy impact assessments when  
9 appropriate or as required by law; and

10 (7) perform such other duties as may be pre-  
11 scribed by the National Intelligence Director or spec-  
12 ified by law.

13 (c) USE OF AGENCY INSPECTORS GENERAL.—When  
14 appropriate, the Civil Liberties Protection Officer may  
15 refer the Office of Inspector General having responsibility  
16 for the affected element of the department or agency of  
17 the intelligence community to conduct an investigation  
18 under paragraph (3) of subsection (b).

## 19 **Subtitle C—Joint Intelligence** 20 **Community Council**

### 21 **SEC. 1031. JOINT INTELLIGENCE COMMUNITY COUNCIL.**

22 (a) ESTABLISHMENT.—(1) There is hereby estab-  
23 lished a Joint Intelligence Community Council.

1 (b) FUNCTIONS.—(1) The Joint Intelligence Commu-  
2 nity Council shall provide advice to the National Intel-  
3 ligence Director as appropriate.

4 (2) The National Intelligence Director shall consult  
5 with the Joint Intelligence Community Council in devel-  
6 oping guidance for the development of the annual National  
7 Intelligence Program budget.

8 (c) MEMBERSHIP.—The Joint Intelligence Commu-  
9 nity Council shall consist of the following:

10 (1) The National Intelligence Director, who  
11 shall chair the Council.

12 (2) The Secretary of State.

13 (3) The Secretary of the Treasury.

14 (4) The Secretary of Defense.

15 (5) The Attorney General.

16 (6) The Secretary of Energy.

17 (7) The Secretary of Homeland Security.

18 (8) Such other officials of the executive branch  
19 as the President may designate.

20 **Subtitle D—Improvement of**  
21 **Human Intelligence (HUMINT)**

22 **SEC. 1041. HUMAN INTELLIGENCE AS AN INCREASINGLY**  
23 **CRITICAL COMPONENT OF THE INTEL-**  
24 **LIGENCE COMMUNITY.**

25 It is a sense of Congress that—

1           (1) the human intelligence officers of the intel-  
2           ligence community have performed admirably and  
3           honorably in the face of great personal dangers;

4           (2) during an extended period of unprecedented  
5           investment and improvements in technical collection  
6           means, the human intelligence capabilities of the  
7           United States have not received the necessary and  
8           commensurate priorities;

9           (3) human intelligence is becoming an increas-  
10          ingly important capability to provide information on  
11          the asymmetric threats to the national security of  
12          the United States;

13          (4) the continued development and improve-  
14          ment of a robust and empowered and flexible human  
15          intelligence work force is critical to identifying, un-  
16          derstanding, and countering the plans and intentions  
17          of the adversaries of the United States; and

18          (5) an increased emphasis on, and resources ap-  
19          plied to, enhancing the depth and breadth of human  
20          intelligence capabilities of the United States intel-  
21          ligence community must be among the top priorities  
22          of the National Intelligence Director.

1 **SEC. 1042. IMPROVEMENT OF HUMAN INTELLIGENCE CA-**  
2 **PACITY.**

3 Not later than 6 months after the date of the enact-  
4 ment of this Act, the National Intelligence Director shall  
5 submit to Congress a report on existing human intel-  
6 ligence (HUMINT) capacity which shall include a plan to  
7 implement changes, as necessary, to accelerate improve-  
8 ments to, and increase the capacity of, HUMINT across  
9 the intelligence community.

10 **Subtitle E—Improvement of Edu-**  
11 **cation for the Intelligence Com-**  
12 **munity**

13 **SEC. 1051. MODIFICATION OF OBLIGATED SERVICE RE-**  
14 **QUIREMENTS UNDER NATIONAL SECURITY**  
15 **EDUCATION PROGRAM.**

16 (a) IN GENERAL.—(1) Subsection (b)(2) of section  
17 802 of the David L. Boren National Security Education  
18 Act of 1991 (50 U.S.C. 1902) is amended to read as fol-  
19 lows:

20 “(2) will meet the requirements for obligated  
21 service described in subsection (j); and”.

22 (2) Such section is further amended by adding at the  
23 end the following new subsection:

24 “(j) REQUIREMENTS FOR OBLIGATED SERVICE IN  
25 THE GOVERNMENT.—(1) Each recipient of a scholarship  
26 or a fellowship under the program shall work in a specified

1 national security position. In this subsection, the term  
2 ‘specified national security position’ means a position of  
3 a department or agency of the United States that the Sec-  
4 retary certifies is appropriate to use the unique language  
5 and region expertise acquired by the recipient pursuant  
6 to the study for which scholarship or fellowship assistance  
7 (as the case may be) was provided under the program.

8 “(2) Each such recipient shall commence work in a  
9 specified national security position as soon as practicable  
10 but in no case later than two years after the completion  
11 by the recipient of the study for which scholarship or fel-  
12 lowship assistance (as the case may be) was provided  
13 under the program.

14 “(3) Each such recipient shall work in a specified na-  
15 tional security position for a period specified by the Sec-  
16 retary, which period shall include—

17 “(A) in the case of a recipient of a scholarship,  
18 one year of service for each year, or portion thereof,  
19 for which such scholarship assistance was provided,  
20 and

21 “(B) in the case of a recipient of a fellowship,  
22 not less than one nor more than three years for each  
23 year, or portion thereof, for which such fellowship  
24 assistance was provided.

1       “(4) Recipients shall seek specified national security  
2 positions as follows:

3               “(A) In the Department of Defense or in any  
4 element of the intelligence community.

5               “(B) In the Department of State or in the De-  
6 partment of Homeland Security, if the recipient  
7 demonstrates to the Secretary that no position is  
8 available in the Department of Defense or in any  
9 element of the intelligence community.

10              “(C) In any other Federal department or agen-  
11 cy not referred to in subparagraphs (A) and (B), if  
12 the recipient demonstrates to the Secretary that no  
13 position is available in a Federal department or  
14 agency specified in such paragraphs.”.

15       (b) REGULATIONS.—The Secretary of Defense shall  
16 prescribe regulations to carry out subsection (j) of section  
17 802 of the David L. Boren National Security Education  
18 Act of 1991, as added by subsection (a). In prescribing  
19 such regulations, the Secretary shall establish standards  
20 that recipients of scholarship and fellowship assistance  
21 under the program under section 802 of the David L.  
22 Boren National Security Education Act of 1991 are re-  
23 quired to demonstrate in order to satisfy the requirement  
24 of a good faith effort to gain employment as required  
25 under such subsection.

1 (c) APPLICABILITY.—(1) The amendments made by  
2 subsection (a) shall apply with respect to service agree-  
3 ments entered into under the David L. Boren National  
4 Security Education Act of 1991 on or after the date of  
5 the enactment of this Act.

6 (2) The amendments made by subsection (a) shall not  
7 affect the force, validity, or terms of any service agreement  
8 entered into under the David L. Boren National Security  
9 Education Act of 1991 before the date of the enactment  
10 of this Act that is in force as of that date.

11 **SEC. 1052. IMPROVEMENTS TO THE NATIONAL FLAGSHIP**  
12 **LANGUAGE INITIATIVE.**

13 (a) INCREASE IN ANNUAL AUTHORIZATION OF AP-  
14 PROPRIATIONS.—(1) Title VIII of the Intelligence Author-  
15 ization Act for Fiscal Year 1992 (Public Law 102–183;  
16 105 Stat. 1271), as amended by section 311(c) of the In-  
17 telligence Authorization Act for Fiscal Year 1994 (Public  
18 Law 103–178; 107 Stat. 2037) and by section 333(b) of  
19 the Intelligence Authorization Act for Fiscal Year 2003  
20 (Public Law 107–306; 116 Stat. 2397), is amended in  
21 subsection (a) of section 811 by striking “there is author-  
22 ized to be appropriated to the Secretary for each fiscal  
23 year, beginning with fiscal year 2003, \$10,000,000,” and  
24 inserting “there is authorized to be appropriated to the  
25 Secretary for each of fiscal years 2003 and 2004,

1 \$10,000,000, and for fiscal year 2005 and each subse-  
2 quent fiscal year, \$12,000,000,”.

3 (2) Subsection (b) of such section is amended by in-  
4 serting “for fiscal years 2003 and 2004 only” after “au-  
5 thorization of appropriations under subsection (a)”.

6 (b) REQUIREMENT FOR EMPLOYMENT AGREE-  
7 MENTS.—(1) Section 802(i) of the David L. Boren Na-  
8 tional Security Education Act of 1991 (50 U.S.C. 1902(i))  
9 is amended by adding at the end the following new para-  
10 graph:

11 “(5)(A) In the case of an undergraduate or graduate  
12 student that participates in training in programs under  
13 paragraph (1), the student shall enter into an agreement  
14 described in subsection (b), other than such a student who  
15 has entered into such an agreement pursuant to subpara-  
16 graph (A)(ii) or (B)(ii) of section 802(a)(1).

17 “(B) In the case of an employee of an agency or de-  
18 partment of the Federal Government that participates in  
19 training in programs under paragraph (1), the employee  
20 shall agree in writing—

21 “(i) to continue in the service of the agency or  
22 department of the Federal Government employing  
23 the employee for the period of such training;

24 “(ii) to continue in the service of such agency  
25 or department employing the employee following



1 completion of such training for a period of two years  
2 for each year, or part of the year, of such training;

3 “(iii) to reimburse the United States for the  
4 total cost of such training (excluding the employee’s  
5 pay and allowances) provided to the employee if, be-  
6 fore the completion by the employee of the training,  
7 the employment of the employee by the agency or  
8 department is terminated due to misconduct by the  
9 employee or by the employee voluntarily; and

10 “(iv) to reimburse the United States if, after  
11 completing such training, the employment of the em-  
12 ployee by the agency or department is terminated ei-  
13 ther by the agency or department due to misconduct  
14 by the employee or by the employee voluntarily, be-  
15 fore the completion by the employee of the period of  
16 service required in clause (ii), in an amount that  
17 bears the same ratio to the total cost of the training  
18 (excluding the employee’s pay and allowances) pro-  
19 vided to the employee as the unserved portion of  
20 such period of service bears to the total period of  
21 service under clause (ii).

22 “(C) Subject to subparagraph (D), the obligation to  
23 reimburse the United States under an agreement under  
24 subparagraph (A) is for all purposes a debt owing the  
25 United States.

1       “(D) The head of an element of the intelligence com-  
2 munity may release an employee, in whole or in part, from  
3 the obligation to reimburse the United States under an  
4 agreement under subparagraph (A) when, in the discretion  
5 of the head of the element, the head of the element deter-  
6 mines that equity or the interests of the United States  
7 so require.”.

8       (2) The amendment made by paragraph (1) shall  
9 apply to training that begins on or after the date that is  
10 90 days after the date of the enactment of this Act.

11       (c) INCREASE IN THE NUMBER OF PARTICIPATING  
12 EDUCATIONAL INSTITUTIONS.—The Secretary of Defense  
13 shall take such steps as the Secretary determines will in-  
14 crease the number of qualified educational institutions  
15 that receive grants under the National Flagship Language  
16 Initiative to establish, operate, or improve activities de-  
17 signed to train students in programs in a range of dis-  
18 ciplines to achieve advanced levels of proficiency in those  
19 foreign languages that the Secretary identifies as being  
20 the most critical in the interests of the national security  
21 of the United States.

22       (d) CLARIFICATION OF AUTHORITY TO SUPPORT  
23 STUDIES ABROAD.—Educational institutions that receive  
24 grants under the National Flagship Language Initiative  
25 may support students who pursue total immersion foreign

1 language studies overseas of foreign languages that are  
2 critical to the national security of the United States.

3 **SEC. 1053. ESTABLISHMENT OF SCHOLARSHIP PROGRAM**  
4 **FOR ENGLISH LANGUAGE STUDIES FOR HER-**  
5 **ITAGE COMMUNITY CITIZENS OF THE UNITED**  
6 **STATES WITHIN THE NATIONAL SECURITY**  
7 **EDUCATION PROGRAM.**

8 (a) SCHOLARSHIP PROGRAM FOR ENGLISH LAN-  
9 GUAGE STUDIES FOR HERITAGE COMMUNITY CITIZENS  
10 OF THE UNITED STATES.—(1) Subsection (a)(1) of sec-  
11 tion 802 of the David L. Boren National Security Edu-  
12 cation Act of 1991 (50 U.S.C. 1902) is amended—

13 (A) by striking “and” at the end of subpara-  
14 graph (C);

15 (B) by striking the period at the end of sub-  
16 paragraph (D) and inserting “; and”; and

17 (C) by adding at the end the following new sub-  
18 paragraph:

19 “(E) awarding scholarships to students  
20 who—

21 “(i) are United States citizens who—

22 “(I) are native speakers (com-  
23 monly referred to as heritage commu-  
24 nity residents) of a foreign language  
25 that is identified as critical to the na-

1                    tional security interests of the United  
2                    States who should be actively re-  
3                    cruited for employment by Federal se-  
4                    curity agencies with a need for lin-  
5                    guists; and

6                    “(II) are not proficient at a pro-  
7                    fessional level in the English language  
8                    with respect to reading, writing, and  
9                    interpersonal skills required to carry  
10                  out the national security interests of  
11                  the United States, as determined by  
12                  the Secretary,

13                  to enable such students to pursue English  
14                  language studies at an institution of higher  
15                  education of the United States to attain  
16                  proficiency in those skills; and

17                  “(ii) enter into an agreement to work  
18                  in a national security position or work in  
19                  the field of education in the area of study  
20                  for which the scholarship was awarded in  
21                  a similar manner (as determined by the  
22                  Secretary) as agreements entered into pur-  
23                  suant to subsection (b)(2)(A).”.

24                  (2) The matter following subsection (a)(2) of such  
25                  section is amended—

1 (A) in the first sentence, by inserting “or for  
2 the scholarship program under paragraph (1)(E)”  
3 after “under paragraph (1)(D) for the National  
4 Flagship Language Initiative described in subsection  
5 (i)”; and

6 (B) by adding at the end the following: “For  
7 the authorization of appropriations for the scholar-  
8 ship program under paragraph (1)(E), see section  
9 812.”.

10 (3) Section 803(d)(4)(E) of such Act (50 U.S.C.  
11 1903(d)(4)(E)) is amended by inserting before the period  
12 the following: “and section 802(a)(1)(E) (relating to  
13 scholarship programs for advanced English language stud-  
14 ies by heritage community residents)”.

15 (b) FUNDING.—The David L. Boren National Secu-  
16 rity Education Act of 1991 (50 U.S.C. 1901 et seq.) is  
17 amended by adding at the end the following new section:

18 **“SEC. 812. FUNDING FOR SCHOLARSHIP PROGRAM FOR**  
19 **CERTAIN HERITAGE COMMUNITY RESIDENTS.**

20 “There is authorized to be appropriated to the Sec-  
21 retary for each fiscal year, beginning with fiscal year  
22 2005, \$4,000,000, to carry out the scholarship programs  
23 for English language studies by certain heritage commu-  
24 nity residents under section 802(a)(1)(E).

1 **SEC. 1054. SENSE OF CONGRESS WITH RESPECT TO LAN-**  
2 **GUAGE AND EDUCATION FOR THE INTEL-**  
3 **LIGENCE COMMUNITY; REPORTS.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-  
5 gress that there should be within the Office of the Na-  
6 tional Intelligence Director a senior official responsible to  
7 assist the National Intelligence Director in carrying out  
8 the Director's responsibilities for establishing policies and  
9 procedure for foreign language education and training of  
10 the intelligence community. The duties of such official  
11 should include the following:

12 (1) Overseeing and coordinating requirements  
13 for foreign language education and training of the  
14 intelligence community.

15 (2) Establishing policy, standards, and prior-  
16 ities relating to such requirements.

17 (3) Identifying languages that are critical to the  
18 capability of the intelligence community to carry out  
19 national security activities of the United States.

20 (4) Monitoring the allocation of resources for  
21 foreign language education and training in order to  
22 ensure the requirements of the intelligence commu-  
23 nity with respect to foreign language proficiency are  
24 met.

1 (b) REPORTS.—Not later than one year after the date  
2 of the enactment of this Act, the National Intelligence Di-  
3 rector shall submit to Congress the following reports:

4 (1) A report that identifies—

5 (A) skills and processes involved in learn-  
6 ing a foreign language; and

7 (B) characteristics and teaching techniques  
8 that are most effective in teaching foreign lan-  
9 guages.

10 (2)(A) A report that identifies foreign language  
11 heritage communities, particularly such communities  
12 that include speakers of languages that are critical  
13 to the national security of the United States.

14 (B) For purposes of subparagraph (A), the  
15 term “foreign language heritage community” means  
16 a community of residents or citizens of the United  
17 States—

18 (i) who are native speakers of, or who have  
19 fluency in, a foreign language; and

20 (ii) who should be actively recruited for  
21 employment by Federal security agencies with a  
22 need for linguists.

23 (3) A report on—

24 (A) the estimated cost of establishing a  
25 program under which the heads of elements of

1 the intelligence community agree to repay em-  
2 ployees of the intelligence community for any  
3 student loan taken out by that employee for the  
4 study of foreign languages critical for the na-  
5 tional security of the United States; and

6 (B) the effectiveness of such a program in  
7 recruiting and retaining highly qualified per-  
8 sonnel in the intelligence community.

9 **SEC. 1055. ADVANCEMENT OF FOREIGN LANGUAGES CRIT-**  
10 **ICAL TO THE INTELLIGENCE COMMUNITY.**

11 (a) IN GENERAL.—Title X of the National Security  
12 Act of 1947 (50 U.S.C.) is amended—

13 (1) by inserting before section 1001 (50 U.S.C.  
14 441g) the following:

15 **“Subtitle A—Science and**  
16 **Technology”;**

17 and

18 (2) by adding at the end the following new sub-  
19 titles:

20 **“Subtitle B—Foreign Languages**  
21 **Program**

22 “PROGRAM ON ADVANCEMENT OF FOREIGN LANGUAGES  
23 CRITICAL TO THE INTELLIGENCE COMMUNITY

24 “SEC. 1011. (a) ESTABLISHMENT OF PROGRAM.—  
25 The Secretary of Defense and the National Intelligence



1 Director may jointly establish a program to advance for-  
2 eign languages skills in languages that are critical to the  
3 capability of the intelligence community to carry out na-  
4 tional security activities of the United States (hereinafter  
5 in this subtitle referred to as the ‘Foreign Languages Pro-  
6 gram’).

7 “(b) IDENTIFICATION OF REQUISITE ACTIONS.—In  
8 order to carry out the Foreign Languages Program, the  
9 Secretary of Defense and the National Intelligence Direc-  
10 tor shall jointly determine actions required to improve the  
11 education of personnel in the intelligence community in  
12 foreign languages that are critical to the capability of the  
13 intelligence community to carry out national security ac-  
14 tivities of the United States to meet the long-term intel-  
15 ligence needs of the United States.

16 “EDUCATION PARTNERSHIPS

17 “SEC. 1012. (a) IN GENERAL.—In carrying out the  
18 Foreign Languages Program, the head of a department  
19 or agency containing an element of an intelligence commu-  
20 nity entity may enter into one or more education partner-  
21 ship agreements with educational institutions in the  
22 United States in order to encourage and enhance the  
23 study of foreign languages that are critical to the capa-  
24 bility of the intelligence community to carry out national  
25 security activities of the United States in educational insti-  
26 tutions.

1       “(b) ASSISTANCE PROVIDED UNDER EDUCATIONAL  
2 PARTNERSHIP AGREEMENTS.—Under an educational  
3 partnership agreement entered into with an educational  
4 institution pursuant to this section, the head of an element  
5 of an intelligence community entity may provide the fol-  
6 lowing assistance to the educational institution:

7               “(1) The loan of equipment and instructional  
8 materials of the element of the intelligence commu-  
9 nity entity to the educational institution for any pur-  
10 pose and duration that the head determines to be  
11 appropriate.

12               “(2) Notwithstanding any other provision of  
13 law relating to transfers of surplus property, the  
14 transfer to the educational institution of any com-  
15 puter equipment, or other equipment, that is—

16                       “(A) commonly used by educational insti-  
17 tutions;

18                       “(B) surplus to the needs of the entity;  
19 and

20                       “(C) determined by the head of the ele-  
21 ment to be appropriate for support of such  
22 agreement.

23               “(3) The provision of dedicated personnel to the  
24 educational institution—

1           “(A) to teach courses in foreign languages  
2           that are critical to the capability of the intel-  
3           ligence community to carry out national secu-  
4           rity activities of the United States; or

5           “(B) to assist in the development of such  
6           courses and materials for the institution.

7           “(4) The involvement of faculty and students of  
8           the educational institution in research projects of the  
9           element of the intelligence community entity.

10          “(5) Cooperation with the educational institu-  
11          tion in developing a program under which students  
12          receive academic credit at the educational institution  
13          for work on research projects of the element of the  
14          intelligence community entity.

15          “(6) The provision of academic and career ad-  
16          vice and assistance to students of the educational in-  
17          stitution.

18          “(7) The provision of cash awards and other  
19          items that the head of the element of the intelligence  
20          community entity determines to be appropriate.

21                 “VOLUNTARY SERVICES

22          “SEC. 1013. (a) AUTHORITY TO ACCEPT SERV-  
23          ICES.—Notwithstanding section 1342 of title 31, United  
24          States Code, and subject to subsection (b), the Foreign  
25          Languages Program under section 1011 shall include au-  
26          thority for the head of an element of an intelligence com-

1 munity entity to accept from any individual who is dedi-  
2 cated personnel (as defined in section 1016(3)) voluntary  
3 services in support of the activities authorized by this sub-  
4 title.

5 “(b) REQUIREMENTS AND LIMITATIONS.—(1) In ac-  
6 cepting voluntary services from an individual under sub-  
7 section (a), the head of the element shall—

8 “(A) supervise the individual to the same extent  
9 as the head of the element would supervise a com-  
10 pensated employee of that element providing similar  
11 services; and

12 “(B) ensure that the individual is licensed, priv-  
13 ileged, has appropriate educational or experiential  
14 credentials, or is otherwise qualified under applicable  
15 law or regulations to provide such services.

16 “(2) In accepting voluntary services from an indi-  
17 vidual under subsection (a), the head of an element of the  
18 intelligence community entity may not—

19 “(A) place the individual in a policymaking po-  
20 sition, or other position performing inherently gov-  
21 ernment functions; or

22 “(B) compensate the individual for the provi-  
23 sion of such services.

24 “(c) AUTHORITY TO RECRUIT AND TRAIN INDIVID-  
25 UALS PROVIDING SERVICES.—The head of an element of

1 an intelligence community entity may recruit and train in-  
2 dividuals to provide voluntary services accepted under sub-  
3 section (a).

4 “(d) STATUS OF INDIVIDUALS PROVIDING SERV-  
5 ICES.—(1) Subject to paragraph (2), while providing vol-  
6 untary services accepted under subsection (a) or receiving  
7 training under subsection (c), an individual shall be con-  
8 sidered to be an employee of the Federal Government only  
9 for purposes of the following provisions of law:

10 “(A) Section 552a of title 5, United States  
11 Code (relating to maintenance of records on individ-  
12 uals).

13 “(B) Chapter 11 of title 18, United States  
14 Code (relating to conflicts of interest).

15 “(2)(A) With respect to voluntary services accepted  
16 under paragraph (1) provided by an individual that are  
17 within the scope of the services so accepted, the individual  
18 is deemed to be a volunteer of a governmental entity or  
19 nonprofit institution for purposes of the Volunteer Protec-  
20 tion Act of 1997 (42 U.S.C. 14501 et seq.).

21 “(B) In the case of any claim against such an indi-  
22 vidual with respect to the provision of such services, sec-  
23 tion 4(d) of such Act (42 U.S.C. 14503(d)) shall not  
24 apply.

1       “(3) Acceptance of voluntary services under this sec-  
2 tion shall have no bearing on the issuance or renewal of  
3 a security clearance.

4       “(e) REIMBURSEMENT OF INCIDENTAL EXPENSES.—

5 (1) The head of an element of the intelligence community  
6 entity may reimburse an individual for incidental expenses  
7 incurred by the individual in providing voluntary services  
8 accepted under subsection (a). The head of an element of  
9 the intelligence community entity shall determine which  
10 expenses are eligible for reimbursement under this sub-  
11 section.

12       “(2) Reimbursement under paragraph (1) may be  
13 made from appropriated or nonappropriated funds.

14       “(f) AUTHORITY TO INSTALL EQUIPMENT.—(1) The  
15 head of an element of the intelligence community may in-  
16 stall telephone lines and any necessary telecommunication  
17 equipment in the private residences of individuals who pro-  
18 vide voluntary services accepted under subsection (a).

19       “(2) The head of an element of the intelligence com-  
20 munity may pay the charges incurred for the use of equip-  
21 ment installed under paragraph (1) for authorized pur-  
22 poses.

23       “(3) Notwithstanding section 1348 of title 31, United  
24 States Code, the head of an element of the intelligence  
25 community entity may use appropriated funds or non-

1 appropriated funds of the element in carrying out this sub-  
2 section.

3 “REGULATIONS

4 “SEC. 1014. (a) IN GENERAL.—The Secretary of De-  
5 fense and the National Intelligence Director jointly shall  
6 promulgate regulations necessary to carry out the Foreign  
7 Languages Program authorized under this subtitle.

8 “(b) ELEMENTS OF THE INTELLIGENCE COMMU-  
9 NITY.—Each head of an element of an intelligence commu-  
10 nity entity shall prescribe regulations to carry out sections  
11 1012 and 1013 with respect to that element including the  
12 following:

13 “(1) Procedures to be utilized for the accept-  
14 ance of voluntary services under section 1013.

15 “(2) Procedures and requirements relating to  
16 the installation of equipment under section 1013(g).

17 “DEFINITIONS

18 “SEC. 1015. In this subtitle:

19 “(1) The term ‘intelligence community entity’  
20 means an agency, office, bureau, or element referred  
21 to in subparagraphs (B) through (K) of section 3(4).

22 “(2) The term ‘educational institution’ means—

23 “(A) a local educational agency (as that  
24 term is defined in section 9101(26) of the Ele-  
25 mentary and Secondary Education Act of 1965  
26 (20 U.S.C. 7801(26))),

1           “(B) an institution of higher education (as  
2           defined in section 102 of the Higher Education  
3           Act of 1965 (20 U.S.C. 1002) other than insti-  
4           tutions referred to in subsection (a)(1)(C) of  
5           such section), or

6           “(C) any other nonprofit institution that  
7           provides instruction of foreign languages in lan-  
8           guages that are critical to the capability of the  
9           intelligence community to carry out national se-  
10          curity activities of the United States.

11          “(3) The term ‘dedicated personnel’ means em-  
12          ployees of the intelligence community and private  
13          citizens (including former civilian employees of the  
14          Federal Government who have been voluntarily sepa-  
15          rated, and members of the United States Armed  
16          Forces who have been honorably discharged or gen-  
17          erally discharged under honorable circumstances,  
18          and rehired on a voluntary basis specifically to per-  
19          form the activities authorized under this subtitle).

## 20       **“Subtitle C—Additional Education** 21       **Provisions**

22                “ASSIGNMENT OF INTELLIGENCE COMMUNITY  
23                PERSONNEL AS LANGUAGE STUDENTS

24          “SEC. 1021. (a) IN GENERAL.—(1) The National In-  
25          telligence Director, acting through the heads of the ele-



1 ments of the intelligence community, may provide for the  
2 assignment of military and civilian personnel described in  
3 paragraph (2) as students at accredited professional, tech-  
4 nical, or other institutions of higher education for training  
5 at the graduate or undergraduate level in foreign lan-  
6 guages required for the conduct of duties and responsibil-  
7 ities of such positions.

8 “(2) Personnel referred to in paragraph (1) are per-  
9 sonnel of the elements of the intelligence community who  
10 serve in analysts positions in such elements and who re-  
11 quire foreign language expertise required for the conduct  
12 of duties and responsibilities of such positions.

13 “(b) AUTHORITY FOR REIMBURSEMENT OF COSTS  
14 OF TUITION AND TRAINING.—(1) The Director may reim-  
15 burse an employee assigned under subsection (a) for the  
16 total cost of the training described in subsection (a), in-  
17 cluding costs of educational and supplementary reading  
18 materials.

19 “(2) The authority under paragraph (1) shall apply  
20 to employees who are assigned on a full-time or part-time  
21 basis.

22 “(3) Reimbursement under paragraph (1) may be  
23 made from appropriated or nonappropriated funds.

24 “(c) RELATIONSHIP TO COMPENSATION AS AN ANA-  
25 LYST.—Reimbursement under this section to an employee

1 who is an analyst is in addition to any benefits, allow-  
2 ances, travels, or other compensation the employee is enti-  
3 tled to by reason of serving in such an analyst position.”.

4 (b) CLERICAL AMENDMENT.—The table of contents  
5 for the National Security Act of 1947 is amended by strik-  
6 ing the item relating to section 1001 and inserting the  
7 following new items:

“Subtitle A—Science and Technology

“Sec. 1001. Scholarships and work-study for pursuit of graduate degrees in  
science and technology.

“Subtitle B—Foreign Languages Program

“Sec. 1011. Program on advancement of foreign languages critical to the intel-  
ligence community.

“Sec. 1012. Education partnerships.

“Sec. 1013. Voluntary services.

“Sec. 1014. Regulations.

“Sec. 1015. Definitions.

“Subtitle C—Additional Education Provisions

“Sec. 1021. Assignment of intelligence community personnel as language stu-  
dents.”.

8 **SEC. 1056. PILOT PROJECT FOR CIVILIAN LINGUIST RE-**  
9 **SERVE CORPS.**

10 (a) PILOT PROJECT.—The National Intelligence Di-  
11 rector shall conduct a pilot project to establish a Civilian  
12 Linguist Reserve Corps comprised of United States citi-  
13 zens with advanced levels of proficiency in foreign lan-  
14 guages who would be available upon a call of the President  
15 to perform such service or duties with respect to such for-  
16 eign languages in the Federal Government as the Presi-  
17 dent may specify.

1 (b) CONDUCT OF PROJECT.—Taking into account the  
2 findings and recommendations contained in the report re-  
3 quired under section 325 of the Intelligence Authorization  
4 Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat.  
5 2393), in conducting the pilot project under subsection (a)  
6 the National Intelligence Director shall—

7 (1) identify several foreign languages that are  
8 critical for the national security of the United  
9 States;

10 (2) identify United States citizens with ad-  
11 vanced levels of proficiency in those foreign lan-  
12 guages who would be available to perform the serv-  
13 ices and duties referred to in subsection (a); and

14 (3) implement a call for the performance of  
15 such services and duties.

16 (c) DURATION OF PROJECT.—The pilot project under  
17 subsection (a) shall be conducted for a three-year period.

18 (d) AUTHORITY TO ENTER INTO CONTRACTS.—The  
19 National Intelligence Director may enter into contracts  
20 with appropriate agencies or entities to carry out the pilot  
21 project under subsection (a).

22 (e) REPORTS.—(1) The National Intelligence Direc-  
23 tor shall submit to Congress an initial and a final report  
24 on the pilot project conducted under subsection (a).

1       (2) Each report required under paragraph (1) shall  
2 contain information on the operation of the pilot project,  
3 the success of the pilot project in carrying out the objec-  
4 tives of the establishment of a Civilian Linguist Reserve  
5 Corps, and recommendations for the continuation or ex-  
6 pansion of the pilot project.

7       (3) The final report shall be submitted not later than  
8 6 months after the completion of the project.

9       (f) AUTHORIZATION OF APPROPRIATIONS.—There  
10 are authorized to be appropriated to the National Intel-  
11 ligence Director such sums as are necessary for each of  
12 fiscal years 2005, 2006, and 2007 in order to carry out  
13 the pilot project under subsection (a).

14 **SEC. 1057. CODIFICATION OF ESTABLISHMENT OF THE NA-**  
15 **TIONAL VIRTUAL TRANSLATION CENTER.**

16       (a) IN GENERAL.—Title I of the National Security  
17 Act of 1947 (50 U.S.C. 402 et seq.), as amended by sec-  
18 tion 1021(a), is further amended by adding at the end  
19 the following new section:

20           “NATIONAL VIRTUAL TRANSLATION CENTER

21           “SEC. 120. (a) IN GENERAL.—There is an element  
22 of the intelligence community known as the National Vir-  
23 tual Translation Center under the direction of the Na-  
24 tional Intelligence Director.

25           “(b) FUNCTION.—The National Virtual Translation  
26 Center shall provide for timely and accurate translations

1 of foreign intelligence for all other elements of the intel-  
2 ligence community.

3 “(c) FACILITATING ACCESS TO TRANSLATIONS.—In  
4 order to minimize the need for a central facility for the  
5 National Virtual Translation Center, the Center shall—

6 “(1) use state-of-the-art communications tech-  
7 nology;

8 “(2) integrate existing translation capabilities  
9 in the intelligence community; and

10 “(3) use remote-connection capacities.

11 “(d) USE OF SECURE FACILITIES.—Personnel of the  
12 National Virtual Translation Center may carry out duties  
13 of the Center at any location that—

14 “(1) has been certified as a secure facility by an  
15 agency or department of the United States; and

16 “(2) the National Intelligence Director deter-  
17 mines to be appropriate for such purpose.”.

18 (b) CLERICAL AMENDMENT.—The table of sections  
19 for that Act, as amended by section 1021(b), is further  
20 amended by inserting after the item relating to section  
21 119 the following new item:

“Sec. 120. National Virtual Translation Center.”.

1   **SEC. 1058. REPORT ON RECRUITMENT AND RETENTION OF**  
2                   **QUALIFIED INSTRUCTORS OF THE DEFENSE**  
3                   **LANGUAGE INSTITUTE.**

4           (a) STUDY.—The Secretary of Defense shall conduct  
5 a study on methods to improve the recruitment and reten-  
6 tion of qualified foreign language instructors at the For-  
7 eign Language Center of the Defense Language Institute.  
8 In conducting the study, the Secretary shall consider, in  
9 the case of a foreign language instructor who is an alien,  
10 to expeditiously adjust the status of the alien from a tem-  
11 porary status to that of an alien lawfully admitted for per-  
12 manent residence.

13          (b) REPORT.—(1) Not later than one year after the  
14 date of the enactment of this Act, the Secretary of Defense  
15 shall submit to the appropriate congressional committees  
16 a report on the study conducted under subsection (a), and  
17 shall include in that report recommendations for such  
18 changes in legislation and regulation as the Secretary de-  
19 termines to be appropriate.

20          (2) DEFINITION.—In this subsection, the term “ap-  
21 propriate congressional committees” means the following:

22               (A) The Select Committee on Intelligence and  
23 the Committee on Armed Services of the Senate.

24               (B) The Permanent Select Committee on Intel-  
25 ligence and the Committee on Armed Services of the  
26 House of Representatives.

1 **Subtitle F—Additional Improve-**  
2 **ments of Intelligence Activities**

3 **SEC. 1061. PERMANENT EXTENSION OF CENTRAL INTEL-**  
4 **LIGENCE AGENCY VOLUNTARY SEPARATION**  
5 **INCENTIVE PROGRAM.**

6 (a) EXTENSION OF PROGRAM.—Section 2 of the Cen-  
7 tral Intelligence Agency Voluntary Separation Pay Act (50  
8 U.S.C. 403–4 note) is amended—

9 (1) by striking subsection (f); and

10 (2) by redesignating subsections (g) and (h) as  
11 subsections (f) and (g), respectively.

12 (b) TERMINATION OF FUNDS REMITTANCE RE-  
13 QUIREMENT.—(1) Section 2 of such Act (50 U.S.C. 403–  
14 4 note) is further amended by striking subsection (i).

15 (2) Section 4(a)(2)(B)(ii) of the Federal Workforce  
16 Restructuring Act of 1994 (5 U.S.C. 8331 note) is amend-  
17 ed by striking “, or section 2 of the Central Intelligence  
18 Agency Voluntary Separation Pay Act (Public Law 103–  
19 36; 107 Stat. 104)”.

20 **SEC. 1062. NATIONAL SECURITY AGENCY EMERGING TECH-**  
21 **NOLOGIES PANEL.**

22 The National Security Agency Act of 1959 (50  
23 U.S.C. 402 note) is amended by adding at the end the  
24 following new section:

1       “SEC. 19. (a) There is established the National Secu-  
2 rity Agency Emerging Technologies Panel. The panel is  
3 a standing panel of the National Security Agency. The  
4 panel shall be appointed by, and shall report directly to,  
5 the Director.

6       “(b) The National Security Agency Emerging Tech-  
7 nologies Panel shall study and assess, and periodically ad-  
8 vise the Director on, the research, development, and appli-  
9 cation of existing and emerging science and technology ad-  
10 vances, advances on encryption, and other topics.

11       “(c) The Federal Advisory Committee Act (5 U.S.C.  
12 App.) shall not apply with respect to the National Security  
13 Agency Emerging Technologies Panel.”.

14   **SEC. 1063. SERVICE AND NATIONAL LABORATORIES AND**  
15                   **THE INTELLIGENCE COMMUNITY.**

16       *The National Intelligence Director, in cooperation*  
17 *with the Secretary of Defense and the Secretary of Energy,*  
18 *should seek to ensure that each service laboratory of the De-*  
19 *partment of Defense and each national laboratory of the*  
20 *Department of Energy may, acting through the relevant*  
21 *Secretary and in a manner consistent with the missions*  
22 *and commitments of the laboratory—*

23           *(1) assist the National Intelligence Director in*  
24       *all aspects of technical intelligence, including re-*  
25       *search, applied sciences, analysis, technology evalua-*



1        *tion and assessment, and any other aspect that the*  
2        *relevant Secretary considers appropriate; and*

3            *(2) make available to the intelligence commu-*  
4        *nity, on a community-wide basis—*

5            *(A) the analysis and production services of*  
6        *the service and national laboratories, in a man-*  
7        *ner that maximizes the capacity and services of*  
8        *such laboratories; and*

9            *(B) the facilities and human resources of*  
10       *the service and national laboratories, in a man-*  
11       *ner that improves the technological capabilities*  
12       *of the intelligence community.*

13    **SEC. 1064. IMPROVEMENT IN TRANSLATION AND DELIVERY**  
14                    **OF SUSPECTED TERRORIST COMMUNICA-**  
15                    **TIONS.**

16        *(a) REQUIREMENT FOR PROMPT TRANSLATION AND*  
17        *TRANSMISSION.—The National Intelligence Director shall*  
18        *develop and transmit to the appropriate agencies guidelines*  
19        *to ensure that all suspected terrorist communications, in-*  
20        *cluding transmissions, are translated and delivered in a*  
21        *manner consistent with timelines contained in regulations*  
22        *of the Federal Bureau of Investigations to the extent prac-*  
23        *ticable.*

24        *(b) PREVENTION OF DELETION OF TERRORIST COM-*  
25        *MUNICATIONS.—The National Intelligence Director shall*

1 *take such steps as are necessary to ensure that terrorist com-*  
2 *munications are not deleted or discarded before those com-*  
3 *munications are translated.*

4 **Subtitle G—Conforming and Other**  
5 **Amendments**

6 **SEC. 1071. CONFORMING AMENDMENTS RELATING TO**  
7 **ROLES OF NATIONAL INTELLIGENCE DIREC-**  
8 **TOR AND DIRECTOR OF THE CENTRAL INTEL-**  
9 **LIGENCE AGENCY.**

10 (a) NATIONAL SECURITY ACT OF 1947.—(1) The  
11 National Security Act of 1947 (50 U.S.C. 401 et seq.)  
12 is amended by striking “Director of Central Intelligence”  
13 each place it appears in the following provisions and in-  
14 serting “National Intelligence Director”:

15 (A) Section 3(5)(B) (50 U.S.C. 401a(5)(B)).

16 (B) Section 101(h)(2)(A) (50 U.S.C.  
17 402(h)(2)(A)).

18 (C) Section 101(h)(5) (50 U.S.C. 402(h)(5)).

19 (D) Section 101(i)(2)(A) (50 U.S.C.  
20 402(i)(2)(A)).

21 (E) Section 101(j) (50 U.S.C. 402(j)).

22 (F) Section 105(a) (50 U.S.C. 403–5(a)).

23 (G) Section 105(b)(6)(A) (50 U.S.C. 403–  
24 5(b)(6)(A)).

1           (H) Section 105B(a)(1) (50 U.S.C. 403–  
2       5b(a)(1)).

3           (I) Section 105B(b) (50 U.S.C. 403–5b(b)), the  
4       first place it appears.

5           (J) Section 110(b) (50 U.S.C. 404e(b)).

6           (K) Section 110(c) (50 U.S.C. 404e(c)).

7           (L) Section 112(a)(1) (50 U.S.C. 404g(a)(1)).

8           (M) Section 112(d)(1) (50 U.S.C. 404g(d)(1)).

9           (N) Section 113(b)(2)(A) (50 U.S.C.  
10       404h(b)(2)(A)).

11          (O) Section 114(a)(1) (50 U.S.C. 404i(a)(1)).

12          (P) Section 114(b)(1) (50 U.S.C. 404i(b)(1)).

13          (R) Section 115(a)(1) (50 U.S.C. 404j(a)(1)).

14          (S) Section 115(b) (50 U.S.C. 404j(b)).

15          (T) Section 115(c)(1)(B) (50 U.S.C.  
16       404j(c)(1)(B)).

17          (U) Section 116(a) (50 U.S.C. 404k(a)).

18          (V) Section 117(a)(1) (50 U.S.C. 404l(a)(1)).

19          (W) Section 303(a) (50 U.S.C. 405(a)), both  
20       places it appears.

21          (X) Section 501(d) (50 U.S.C. 413(d)).

22          (Y) Section 502(a) (50 U.S.C. 413a(a)).

23          (Z) Section 502(c) (50 U.S.C. 413a(c)).

24          (AA) Section 503(b) (50 U.S.C. 413b(b)).

1 (BB) Section 504(a)(3)(C) (50 U.S.C.  
2 414(a)(3)(C)).

3 (CC) Section 504(d)(2) (50 U.S.C. 414(d)(2)).

4 (DD) Section 506A(a)(1) (50 U.S.C. 415a-  
5 1(a)(1)).

6 (EE) Section 603(a) (50 U.S.C. 423(a)).

7 (FF) Section 702(a)(1) (50 U.S.C. 432(a)(1)).

8 (GG) Section 702(a)(6)(B)(viii) (50 U.S.C.  
9 432(a)(6)(B)(viii)).

10 (HH) Section 702(b)(1) (50 U.S.C. 432(b)(1)),  
11 both places it appears.

12 (II) Section 703(a)(1) (50 U.S.C. 432a(a)(1)).

13 (JJ) Section 703(a)(6)(B)(viii) (50 U.S.C.  
14 432a(a)(6)(B)(viii)).

15 (KK) Section 703(b)(1) (50 U.S.C.  
16 432a(b)(1)), both places it appears.

17 (LL) Section 704(a)(1) (50 U.S.C. 432b(a)(1)).

18 (MM) Section 704(f)(2)(H) (50 U.S.C.  
19 432b(f)(2)(H)).

20 (NN) Section 704(g)(1)) (50 U.S.C.  
21 432b(g)(1)), both places it appears.

22 (OO) Section 1001(a) (50 U.S.C. 441g(a)).

23 (PP) Section 1102(a)(1) (50 U.S.C.  
24 442a(a)(1)).

1           (QQ)    Section    1102(b)(1)   (50    U.S.C.  
2    442a(b)(1)).

3           (RR)    Section    1102(c)(1)   (50    U.S.C.  
4    442a(c)(1)).

5           (SS) Section 1102(d) (50 U.S.C. 442a(d)).

6       (2) That Act is further amended by striking “of Cen-  
7   tral Intelligence” each place it appears in the following  
8   provisions:

9           (A) Section 105(a)(2) (50 U.S.C. 403–5(a)(2)).

10          (B) Section 105B(a)(2) (50 U.S.C. 403–  
11   5b(a)(2)).

12          (C) Section 105B(b) (50 U.S.C. 403–5b(b)),  
13   the second place it appears.

14       (3) That Act is further amended by striking “Direc-  
15   tor” each place it appears in the following provisions and  
16   inserting “National Intelligence Director”:

17          (A) Section 114(c) (50 U.S.C. 404i(c)).

18          (B) Section 116(b) (50 U.S.C. 404k(b)).

19          (C) Section 1001(b) (50 U.S.C. 441g(b)).

20          (C) Section 1001(c) (50 U.S.C. 441g(c)), the  
21   first place it appears.

22          (D) Section 1001(d)(1)(B) (50 U.S.C.  
23   441g(d)(1)(B)).

24          (E) Section 1001(e) (50 U.S.C. 441g(e)), the  
25   first place it appears.

1       (4) Section 114A of that Act (50 U.S.C. 404i–1) is  
2 amended by striking “Director of Central Intelligence”  
3 and inserting “National Intelligence Director, the Director  
4 of the Central Intelligence Agency”

5       (5) Section 504(a)(2) of that Act (50 U.S.C.  
6 414(a)(2)) is amended by striking “Director of Central In-  
7 telligence” and inserting “Director of the Central Intel-  
8 ligence Agency”.

9       (6) Section 701 of that Act (50 U.S.C. 431) is  
10 amended—

11           (A) in subsection (a), by striking “Operational  
12 files of the Central Intelligence Agency may be ex-  
13 empted by the Director of Central Intelligence” and  
14 inserting “The Director of the Central Intelligence  
15 Agency, with the coordination of the National Intel-  
16 ligence Director, may exempt operational files of the  
17 Central Intelligence Agency”; and

18           (B) in subsection (g)(1), by striking “Director  
19 of Central Intelligence” and inserting “Director of  
20 the Central Intelligence Agency and the National In-  
21 telligence Director”.

22       (7) The heading for section 114 of that Act (50  
23 U.S.C. 404i) is amended to read as follows:

1 “ADDITIONAL ANNUAL REPORTS FROM THE NATIONAL  
2 INTELLIGENCE DIRECTOR”.

3 (b) CENTRAL INTELLIGENCE AGENCY ACT OF  
4 1949.—(1) The Central Intelligence Agency Act of 1949  
5 (50 U.S.C. 403a et seq.) is amended by striking “Director  
6 of Central Intelligence” each place it appears in the fol-  
7 lowing provisions and inserting “National Intelligence Di-  
8 rector”:

9 (A) Section 6 (50 U.S.C. 403g).

10 (B) Section 17(f) (50 U.S.C. 403q(f)), both  
11 places it appears.

12 (2) That Act is further amended by striking “of Cen-  
13 tral Intelligence” in each of the following provisions:

14 (A) Section 2 (50 U.S.C. 403b).

15 (A) Section 16(c)(1)(B) (50 U.S.C.  
16 403p(c)(1)(B)).

17 (B) Section 17(d)(1) (50 U.S.C. 403q(d)(1)).

18 (C) Section 20(c) (50 U.S.C. 403t(c)).

19 (3) That Act is further amended by striking “Direc-  
20 tor of Central Intelligence” each place it appears in the  
21 following provisions and inserting “Director of the Central  
22 Intelligence Agency”:

23 (A) Section 14(b) (50 U.S.C. 403n(b)).

24 (B) Section 16(b)(2) (50 U.S.C. 403p(b)(2)).

1 (C) Section 16(b)(3) (50 U.S.C. 403p(b)(3)),  
2 both places it appears.

3 (D) Section 21(g)(1) (50 U.S.C. 403u(g)(1)).

4 (E) Section 21(g)(2) (50 U.S.C. 403u(g)(2)).

5 (c) CENTRAL INTELLIGENCE AGENCY RETIREMENT  
6 ACT.—Section 101 of the Central Intelligence Agency Re-  
7 tirement Act (50 U.S.C. 2001) is amended by striking  
8 paragraph (2) and inserting the following new paragraph  
9 (2):

10 “(2) DIRECTOR.—The term ‘Director’ means  
11 the Director of the Central Intelligence Agency.”.

12 (d) CIA VOLUNTARY SEPARATION PAY ACT.—Sub-  
13 section (a)(1) of section 2 of the Central Intelligence  
14 Agency Voluntary Separation Pay Act (50 U.S.C. 2001  
15 note) is amended to read as follows:

16 “(1) the term ‘Director’ means the Director of  
17 the Central Intelligence Agency;”.

18 (e) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF  
19 1978.—(1) The Foreign Intelligence Surveillance Act of  
20 1978 (50 U.S.C. 1801 et seq.) is amended by striking “Di-  
21 rector of Central Intelligence” each place it appears and  
22 inserting “National Intelligence Director”.

23 (f) CLASSIFIED INFORMATION PROCEDURES ACT.—  
24 Section 9(a) of the Classified Information Procedures Act  
25 (5 U.S.C. App.) is amended by striking “Director of Cen-



1 tral Intelligence” and inserting “National Intelligence Di-  
2 rector”.

3 (g) INTELLIGENCE AUTHORIZATION ACTS.—

4 (1) PUBLIC LAW 103–359.—Section 811(c)(6)(C)  
5 of the Counterintelligence and Security Enhance-  
6 ments Act of 1994 (title VIII of Public Law 103–  
7 359) is amended by striking “Director of Central In-  
8 telligence” and inserting “National Intelligence Di-  
9 rector”.

10 (2) PUBLIC LAW 107–306.—(A) The Intelligence  
11 Authorization Act for Fiscal Year 2003 (Public Law  
12 107–306) is amended by striking “Director of Cen-  
13 tral Intelligence, acting as the head of the intel-  
14 ligence community,” each place it appears in the fol-  
15 lowing provisions and inserting “National Intel-  
16 ligence Director”:

17 (i) Section 313(a) (50 U.S.C. 404n(a)).

18 (ii) Section 343(a)(1) (50 U.S.C. 404n–  
19 2(a)(1))

20 (B) That Act is further amended by striking  
21 “Director of Central Intelligence” each place it ap-  
22 pears in the following provisions and inserting “Na-  
23 tional Intelligence Director”:

24 (i) Section 902(a)(2) (50 U.S.C.  
25 402b(a)(2)).

1                   (ii)    Section    904(e)(4)   (50    U.S.C.  
2                   402c(e)(4)).

3                   (iii)   Section    904(e)(5)   (50    U.S.C.  
4                   402c(e)(5)).

5                   (iv) Section 904(h) (50 U.S.C. 402c(h)),  
6                   each place it appears.

7                   (v) Section 904(m) (50 U.S.C. 402c(m)).

8                   (C) Section 341 of that Act (50 U.S.C. 404n–  
9                   1) is amended by striking “Director of Central Intel-  
10                  ligence, acting as the head of the intelligence com-  
11                  munity, shall establish in the Central Intelligence  
12                  Agency” and inserting “National Intelligence Direc-  
13                  tor shall establish within the Central Intelligence  
14                  Agency”.

15                  (D) Section 352(b) of that Act (50 U.S.C. 404–  
16                  3 note) is amended by striking “Director” and in-  
17                  serting “National Intelligence Director”.

18                  (3) PUBLIC LAW 108–177.—(A) The Intelligence  
19                  Authorization Act for Fiscal Year 2004 (Public Law  
20                  108–177) is amended by striking “Director of Cen-  
21                  tral Intelligence” each place it appears in the fol-  
22                  lowing provisions and inserting “National Intel-  
23                  ligence Director”:

24                         (i) Section 317(a) (50 U.S.C. 403–3 note).

25                         (ii) Section 317(h)(1).

1 (iii) Section 318(a) (50 U.S.C. 441g note).

2 (iv) Section 319(b) (50 U.S.C. 403 note).

3 (v) Section 341(b) (28 U.S.C. 519 note).

4 (vi) Section 357(a) (50 U.S.C. 403 note).

5 (vii) Section 504(a) (117 Stat. 2634), both  
6 places it appears.

7 (B) Section 319(f)(2) of that Act (50 U.S.C.  
8 403 note) is amended by striking “Director” the  
9 first place it appears and inserting “National Intel-  
10 ligence Director”.

11 (C) Section 404 of that Act (18 U.S.C. 4124  
12 note) is amended by striking “Director of Central  
13 Intelligence” and inserting “Director of the Central  
14 Intelligence Agency”.

15 **SEC. 1072. OTHER CONFORMING AMENDMENTS**

16 (a) NATIONAL SECURITY ACT OF 1947.—(1) Section  
17 101(j) of the National Security Act of 1947 (50 U.S.C.  
18 402(j)) is amended by striking “Deputy Director of Cen-  
19 tral Intelligence” and inserting “Deputy National Intel-  
20 ligence Director”.

21 (2) Section 112(d)(1) of that Act (50 U.S.C.  
22 404g(d)(1)) is amended by striking “section 103(c)(6) of  
23 this Act” and inserting “section 102A(g) of this Act”.

24 (3) Section 116(b) of that Act (50 U.S.C. 404k(b))  
25 is amended by striking “to the Deputy Director of Central

1 Intelligence, or with respect to employees of the Central  
2 Intelligence Agency, the Director may delegate such au-  
3 thority to the Deputy Director for Operations” and insert-  
4 ing “to the Deputy National Intelligence Director, or with  
5 respect to employees of the Central Intelligence Agency,  
6 to the Director of the Central Intelligence Agency”.

7 (4) Section 506A(b)(1) of that Act (50 U.S.C. 415a-  
8 1(b)(1)) is amended by striking “Office of the Deputy Di-  
9 rector of Central Intelligence” and inserting “Office of the  
10 National Intelligence Director”.

11 (5) Section 701(c)(3) of that Act (50 U.S.C.  
12 431(c)(3)) is amended by striking “Office of the Director  
13 of Central Intelligence” and inserting “Office of the Na-  
14 tional Intelligence Director”.

15 (6) Section 1001(b) of that Act (50 U.S.C. 441g(b))  
16 is amended by striking “Assistant Director of Central In-  
17 telligence for Administration” and inserting “Office of the  
18 National Intelligence Director”.

19 (b) CENTRAL INTELLIGENCE ACT OF 1949.—Section  
20 6 of the Central Intelligence Agency Act of 1949 (50  
21 U.S.C. 403g) is amended by striking “section 103(c)(7)  
22 of the National Security Act of 1947 (50 U.S.C. 403-  
23 3(c)(7))” and inserting “section 102A(g) of the National  
24 Security Act of 1947”.

1       (c) CENTRAL INTELLIGENCE AGENCY RETIREMENT  
2 ACT.—Section 201(c) of the Central Intelligence Agency  
3 Retirement Act (50 U.S.C. 2011(c)) is amended by strik-  
4 ing “paragraph (6) of section 103(c) of the National Secu-  
5 rity Act of 1947 (50 U.S.C. 403–3(c)) that the Director  
6 of Central Intelligence” and inserting “section 102A(g) of  
7 the National Security Act of 1947 (50 U.S.C. 403–  
8 3(c)(1)) that the National Intelligence Director”.

9       (d) INTELLIGENCE AUTHORIZATION ACTS.—

10           (1) PUBLIC LAW 107–306.—(A) Section 343(c)  
11 of the Intelligence Authorization Act for Fiscal Year  
12 2003 (Public Law 107–306; 50 U.S.C. 404n–2(c)) is  
13 amended by striking “section 103(c)(6) of the Na-  
14 tional Security Act of 1947 (50 U.S.C. 403–  
15 3((c)(6)))” and inserting “section 102A(g) of the Na-  
16 tional Security Act of 1947 (50 U.S.C. 403–  
17 3(c)(1))”.

18           (B) Section 904 of that Act (50 U.S.C. 402c)  
19 is amended—

20           (i) in subsection (c), by striking “Office of  
21 the Director of Central Intelligence” and insert-  
22 ing “Office of the National Intelligence Direc-  
23 tor”; and

24           (ii) in subsection (l), by striking “Office of  
25 the Director of Central Intelligence” and insert-

1 ing “Office of the National Intelligence Direc-  
2 tor”.

3 (2) PUBLIC LAW 108–177.—Section 317 of the  
4 Intelligence Authorization Act for Fiscal Year 2004  
5 (Public Law 108–177; 50 U.S.C. 403–3 note) is  
6 amended—

7 (A) in subsection (g), by striking “Assist-  
8 ant Director of Central Intelligence for Analysis  
9 and Production” and inserting “Deputy Na-  
10 tional Intelligence Director”; and

11 (B) in subsection (h)(2)(C), by striking  
12 “Assistant Director” and inserting “Deputy  
13 National Intelligence Director”.

14 **SEC. 1073. ELEMENTS OF INTELLIGENCE COMMUNITY**  
15 **UNDER NATIONAL SECURITY ACT OF 1947.**

16 Paragraph (4) of section 3 of the National Security  
17 Act of 1947 (50 U.S.C. 401a) is amended to read as fol-  
18 lows:

19 “(4) The term ‘intelligence community’ includes  
20 the following:

21 “(A) The Office of the National Intel-  
22 ligence Director.

23 “(B) The Central Intelligence Agency.

24 “(C) The National Security Agency.

25 “(D) The Defense Intelligence Agency.

1                   “(E) The National Geospatial-Intelligence  
2                   Agency.

3                   “(F) The National Reconnaissance Office.

4                   “(G) Other offices within the Department  
5                   of Defense for the collection of specialized na-  
6                   tional intelligence through reconnaissance pro-  
7                   grams.

8                   “(H) The intelligence elements of the  
9                   Army, the Navy, the Air Force, the Marine  
10                  Corps, the Federal Bureau of Investigation, and  
11                  the Department of Energy.

12                  “(I) The Bureau of Intelligence and Re-  
13                  search of the Department of State.

14                  “(J) The Office of Intelligence and Anal-  
15                  ysis of the Department of the Treasury.

16                  “(K) The elements of the Department of  
17                  Homeland Security concerned with the analysis  
18                  of intelligence information, including the Office  
19                  of Intelligence of the Coast Guard.

20                  “(L) Such other elements of any other de-  
21                  partment or agency as may be designated by  
22                  the President, or designated jointly by the Na-  
23                  tional Intelligence Director and the head of the  
24                  department or agency concerned, as an element  
25                  of the intelligence community.”.

1 **SEC. 1074. REDESIGNATION OF NATIONAL FOREIGN INTEL-**  
2 **LIGENCE PROGRAM AS NATIONAL INTEL-**  
3 **LIGENCE PROGRAM.**

4 (a) REDESIGNATION.—Paragraph (6) of section 3 of  
5 the National Security Act of 1947 (50 U.S.C. 401a) is  
6 amended by striking “Foreign”.

7 (b) CONFORMING AMENDMENTS.—(1) Section  
8 506(a) of the National Security Act of 1947 (50 U.S.C.  
9 415a(a)) is amended by striking “National Foreign Intel-  
10 ligence Program” and inserting “National Intelligence  
11 Program”.

12 (2) Section 17(f) of the Central Intelligence Agency  
13 Act of 1949 (50 U.S.C. 403q(f)) is amended by striking  
14 “National Foreign Intelligence Program” and inserting  
15 “National Intelligence Program”.

16 (c) HEADING AMENDMENT.—The heading of section  
17 506 of that Act is amended by striking “FOREIGN”.

18 **SEC. 1075. REPEAL OF SUPERSEDED AUTHORITIES.**

19 (a) APPOINTMENT OF CERTAIN INTELLIGENCE OF-  
20 FICIALS.—Section 106 of the National Security Act of  
21 1947 (50 U.S.C. 403–6) is repealed.

22 (b) COLLECTION TASKING AUTHORITY.—Section  
23 111 of the National Security Act of 1947 (50 U.S.C. 404f)  
24 is repealed.



1 **SEC. 1076. CLERICAL AMENDMENTS TO NATIONAL SECU-**  
2 **RITY ACT OF 1947.**

3 The table of contents for the National Security Act  
4 of 1947 is amended—

5 (1) by striking the items relating to sections  
6 102 through 104 and inserting the following new  
7 items:

“Sec. 102. National Intelligence Director.

“Sec. 102A. Responsibilities and authorities of National Intelligence Director.

“Sec. 103. Office of the National Intelligence Director.

“Sec. 104. Central Intelligence Agency.

“Sec. 104A. Director of the Central Intelligence Agency.”; and

8 (2) by striking the item relating to section 114  
9 and inserting the following new item:

“Sec. 114. Additional annual reports from the National Intelligence Director.”;

10 and

11 (3) by striking the item relating to section 506  
12 and inserting the following new item:

“Sec. 506. Specificity of National Intelligence Program budget amounts for  
counterterrorism, counterproliferation, counternarcotics, and  
counterintelligence”.

13 **SEC. 1077. CONFORMING AMENDMENTS RELATING TO PRO-**  
14 **HIBITING DUAL SERVICE OF THE DIRECTOR**  
15 **OF THE CENTRAL INTELLIGENCE AGENCY.**

16 Section 1 of the Central Intelligence Agency Act of  
17 1949 (50 U.S.C. 403a) is amended—

18 (1) by redesignating paragraphs (a), (b), and  
19 (c) as paragraphs (1), (2), and (3), respectively; and

1           (2) by striking paragraph (2), as so redesign-  
2       nated, and inserting the following new paragraph  
3       (2):

4       “(2) ‘Director’ means the Director of the Central In-  
5       telligence Agency; and”.

6       **SEC. 1078. ACCESS TO INSPECTOR GENERAL PROTECTIONS.**

7       Section 17(a)(1) of the Central Intelligence Agency  
8       Act of 1949 (50 U.S.C. 403q(a)(1)) is amended by insert-  
9       ing before the semicolon at the end the following: “and  
10      to programs and operations of the Office of the National  
11      Intelligence Director”.

12      **SEC. 1079. GENERAL REFERENCES.**

13      (a) DIRECTOR OF CENTRAL INTELLIGENCE AS HEAD  
14      OF INTELLIGENCE COMMUNITY.—Any reference to the  
15      Director of Central Intelligence or the Director of the Cen-  
16      tral Intelligence Agency in the Director’s capacity as the  
17      head of the intelligence community in any law, regulation,  
18      document, paper, or other record of the United States  
19      shall be deemed to be a reference to the National Intel-  
20      ligence Director.

21      (b) DIRECTOR OF CENTRAL INTELLIGENCE AS HEAD  
22      OF CIA.—Any reference to the Director of Central Intel-  
23      ligence or the Director of the Central Intelligence Agency  
24      in the Director’s capacity as the head of the Central Intel-  
25      ligence Agency in any law, regulation, document, paper,

1 or other record of the United States shall be deemed to  
2 be a reference to the Director of the Central Intelligence  
3 Agency.

4 (c) COMMUNITY MANAGEMENT STAFF.—Any ref-  
5 erence to the Community Management Staff in any law,  
6 regulation, document, paper, or other record of the United  
7 States shall be deemed to be a reference to the staff of  
8 the Office of the National Intelligence Director.

9 **SEC. 1080. APPLICATION OF OTHER LAWS.**

10 (a) POLITICAL SERVICE OF PERSONNEL.—Section  
11 7323(b)(2)(B)(i) of title 5, United States Code, is  
12 amended—

13 (1) in subclause (XII), by striking “or” at the  
14 end; and

15 (2) by inserting after subclause (XIII) the fol-  
16 lowing new subclause:

17 “(XIV) the Office of the National Intel-  
18 ligence Director; or”.

19 (b) DELETION OF INFORMATION ABOUT FOREIGN  
20 GIFTS.—Section 7342(f)(4) of title 5, United States Code,  
21 is amended—

22 (1) by inserting “(A)” after “(4)”;

23 (2) in subparagraph (A), as so designated, by  
24 striking “the Director of Central Intelligence” and

1 inserting “the Director of the Central Intelligence  
2 Agency”; and

3 (3) by adding at the end the following new sub-  
4 paragraph:

5 “(B) In transmitting such listings for the Office of  
6 the National Intelligence Director, the National Intel-  
7 ligence Director may delete the information described in  
8 subparagraphs (A) and (C) of paragraphs (2) and (3) if  
9 the Director certifies in writing to the Secretary of State  
10 that the publication of such information could adversely  
11 affect United States intelligence sources.”.

12 (c) EXEMPTION FROM FINANCIAL DISCLOSURES.—  
13 Section 105(a)(1) of the Ethics in Government Act (5  
14 U.S.C. App.) is amended by inserting “the Office of the  
15 National Intelligence Director,” before “the Central Intel-  
16 ligence Agency”.

17 **Subtitle H—Transfer, Termination,**  
18 **Transition and Other Provisions**

19 **SEC. 1091. TRANSFER OF COMMUNITY MANAGEMENT**  
20 **STAFF.**

21 (a) TRANSFER.—There shall be transferred to the  
22 Office of the National Intelligence Director the staff of  
23 the Community Management Staff as of the date of the  
24 enactment of this Act, including all functions and activi-

1 ties discharged by the Community Management Staff as  
2 of that date.

3 (b) ADMINISTRATION.—The National Intelligence Di-  
4 rector shall administer the Community Management Staff  
5 after the date of the enactment of this Act as a component  
6 of the Office of the National Intelligence Director under  
7 section 103(b) of the National Security Act of 1947, as  
8 amended by section 1011(a).

9 **SEC. 1092. TRANSFER OF TERRORIST THREAT INTEGRA-**  
10 **TION CENTER.**

11 (a) TRANSFER.—There shall be transferred to the  
12 National Counterterrorism Center the Terrorist Threat  
13 Integration Center (TTIC), including all functions and ac-  
14 tivities discharged by the Terrorist Threat Integration  
15 Center as of the date of the enactment of this Act.

16 (b) ADMINISTRATION.—The Director of the National  
17 Counterterrorism Center shall administer the Terrorist  
18 Threat Integration Center after the date of the enactment  
19 of this Act as a component of the Directorate of Intel-  
20 ligence of the National Counterterrorism Center under  
21 section 119(i) of the National Security Act of 1947, as  
22 added by section 1021(a).

1   **SEC. 1093. TERMINATION OF POSITIONS OF ASSISTANT DI-**  
2                   **RECTORS OF CENTRAL INTELLIGENCE.**

3           (a) TERMINATION.—The positions within the Central  
4   Intelligence Agency referred to in subsection (b) are here-  
5   by abolished.

6           (b) COVERED POSITIONS.—The positions within the  
7   Central Intelligence Agency referred to in this subsection  
8   are as follows:

9               (1) The Assistant Director of Central Intel-  
10   ligence for Collection.

11              (2) The Assistant Director of Central Intel-  
12   ligence for Analysis and Production.

13              (3) The Assistant Director of Central Intel-  
14   ligence for Administration.

15   **SEC. 1094. IMPLEMENTATION PLAN.**

16           (a) SUBMISSION OF PLAN.—The President shall  
17   transmit to Congress a plan for the implementation of this  
18   title and the amendments made by this title. The plan  
19   shall address, at a minimum, the following:

20               (1) The transfer of personnel, assets, and obli-  
21   gations to the National Intelligence Director pursu-  
22   ant to this title.

23               (2) Any consolidation, reorganization, or  
24   streamlining of activities transferred to the National  
25   Intelligence Director pursuant to this title.

1           (3) The establishment of offices within the Of-  
2       fice of the National Intelligence Director to imple-  
3       ment the duties and responsibilities of the National  
4       Intelligence Director as described in this title.

5           (4) Specification of any proposed disposition of  
6       property, facilities, contracts, records, and other as-  
7       sets and obligations to be transferred to the Na-  
8       tional Intelligence Director.

9           (5) Recommendations for additional legislative  
10      or administrative action as the Director considers  
11      appropriate.

12      (b) SENSE OF CONGRESS.—It is the sense of Con-  
13      gress that the permanent location for the headquarters for  
14      the Office of the National Intelligence Director, should be  
15      at a location other than the George Bush Center for Intel-  
16      ligence in Langley, Virginia.

17   **SEC. 1095. TRANSITIONAL AUTHORITIES.**

18      Upon the request of the National Intelligence Direc-  
19      tor, the head of any executive agency may, on a reimburs-  
20      able basis, provide services or detail personnel to the Na-  
21      tional Intelligence Director.

22   **SEC. 1096. EFFECTIVE DATES.**

23      (a) IN GENERAL.—Except as otherwise expressly  
24      provided in this Act, this title and the amendments made

1 by this title shall take effect on the date of the enactment  
2 of this Act.

3 (b) SPECIFIC EFFECTIVE DATES.—(1)(A) Not later  
4 than 60 days after the date of the enactment of this Act,  
5 the National Intelligence Director shall first appoint indi-  
6 viduals to positions within the Office of the National Intel-  
7 ligence Director.

8 (B) Subparagraph (A) shall not apply with respect  
9 to the Deputy National Intelligence Director.

10 (2) Not later than 180 days after the date of the en-  
11 actment of this Act, the President shall transmit to Con-  
12 gress the implementation plan required under section  
13 1904.

14 (3) Not later than one year after the date of the en-  
15 actment of this Act, the National Intelligence Director  
16 shall prescribe regulations, policies, procedures, standards,  
17 and guidelines required under section 102A of the Na-  
18 tional Security Act of 1947, as amended by section  
19 1011(a).



1                   ***Subtitle I—Other Matters***

2   ***SEC. 1101. STUDY OF PROMOTION AND PROFESSIONAL***  
3                   ***MILITARY EDUCATION SCHOOL SELECTION***  
4                   ***RATES FOR MILITARY INTELLIGENCE OFFI-***  
5                   ***CERS.***

6           (a) *STUDY.*—*The Secretary of Defense shall conduct a*  
7   *study of the promotion selection rates, and the selection*  
8   *rates for attendance at professional military education*  
9   *schools, of intelligence officers of the Armed Forces, particu-*  
10 *larly in comparison to the rates for other officers of the same*  
11 *Armed Force who are in the same grade and competitive*  
12 *category.*

13          (b) *REPORT.*—*The Secretary shall submit to the Com-*  
14 *mittees on Armed Services of the Senate and House of Rep-*  
15 *resentatives a report providing the Secretary's findings re-*  
16 *sulting from the study under subsection (a) and the Sec-*  
17 *retary's recommendations (if any) for such changes in law*  
18 *as the Secretary considers needed to ensure that intelligence*  
19 *officers, as a group, are selected for promotion, and for at-*  
20 *tendance at professional military education schools, at rates*  
21 *not less than the rates for all line (or the equivalent) officers*  
22 *of the same Armed Force (both in the zone and below the*  
23 *zone) in the same grade. The report shall be submitted not*  
24 *later than April 1, 2005.*